

## Minutes Approval

The Portage County Board of Commissioners' meeting of November 22, 2011 came to order at 9:35 AM with the following members present:

Attendee Name	Title	Status
Maureen T. Frederick	President	Present
Tommie Jo Marsilio	Vice President	Present
Christopher Smeiles	Board Member	Present

It was moved by Commissioner Marsilio, seconded by Commissioner Smeiles to approve the meeting minutes of the November 21, 2011 meeting. All in favor, motion carries

Also attending throughout the day: Hank Dunckel and members of the public.

## PROSECUTOR

Present: Leigh Prugh, Denise Smith

### Discussion

Review of Prosecutor's Pending List

1. Attorney Smith noted that a re-review of Portage County/Sourcing Office participation issue has offered no reason for her to change her opinion that this does not comply with the statute.
2. Leigh Prugh has advised the Board of Commissioners that they may enter into either an RFQ or an RFP for oil and gas leases for county property. Commissioner Marsilio asked if Attorney Smith would review any RFP or RFQ should Director Townend prepare them; Attorney Smith agreed that she would.

Prosecutor's Correspondence

1. November 16, 2011 e-mail from Denise Smith regarding the request for legal opinion regarding routing of 9-1-1 calls. The question she must answer is if this routing would trigger the full process to change the Portage County 911 Plan.
2. November 16, 2011 e-mail from Leigh Prugh, regarding Timberstone subdivision/Attorney Prugh attending for a discussion with the Board of Commissioners. The Board of Commissioners agreed that an automatic remedy should be added to the agreement in case the developer builds on the lots. Commissioner Frederick stated that maybe there should be a provision for a monetary remedy. Denise Smith noted that there might not be any party to get money from since the property continues to change hands. She suggested that these paper roads be vacated and then the developer could ask for that decision to be rescinded in the future. Commissioner Smeiles asked if that could be defended in court? Leigh Prugh responded yes.

The Board of Commissioners agreed to move forward with the road vacation process. Commissioner Smeiles noted that by vacating the road, the Board of Commissioners would landlock some of the parcels.

Denise Smith responded that is a zoning issue that would require action by the Township. The landowner could vacate the lots after the Board of Commissioners vacates the paper roads. Leigh Prugh commented that the remedy for the breach of contract would be a legal remedy. Commissioner Smeiles would prefer to vacate the roads and the lots taking the property back to the original status.

Attorney Prugh will investigate further and send the Board of Commissioners her comments in writing as how to move forward.

### **WOODLANDS AT ROBINSON**

Present: Christa Mayes, Jill Nelson, Allison Goudy

#### **Discussion**

The Nursing Home Administrator reported a census of 89 with 14 Medicare residents and eight private pay residents.

The Nursing Home Administrator noted that the walk-through last week went well and was well attended.

#### **Executive Session**

Enter Executive Session

10:10 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to consider a possible hiring issue and potential termination. **Also present:** Christa Mayes, DON Jill Nelson, Allison Goudy, Human Resources Department Director Karen U'Halie. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

Exit Executive Session

10:30 AM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners took action by Journal Entry.

### **10:30 AM RECESS TO SOLID WASTE MANAGEMENT DISTRICT MEETING**

### **1:20 PM BOARD OF COMMISSIONERS MEETING RECONVENED**

#### **BUDGET & FINANCE**

Present: Audrey Tillis

#### **Discussion**

##### **OTHER**

##### **1. Discussion**

- a. Sheriff's Captain McRitchie has asked for \$2390 for payment for the X-Ray Machine/Metal

Detectors located at the courthouses for inspection and service in 2011. The Board of Commissioners asked the Director to contact the Captain to determine if he can hold on this service until 2012/Journal Entry.

2. Updates:
  - a. BOC On Hold/ Review In Process
    - I. Nursing Home Cost Allocation Billing - The Director to move ahead
    - II. The Director noted that she has received the proposal for the Lock Box Option - Utility Billing Receipt
    - III. The Board of Commissioners will discuss the 2012 Budget today during the work session

### RESOLUTIONS

1. General Fund Amendments to the Annual Appropriation Resolution:/11-1014
  - a. Commissioner Other, Supplemental -
    - i. Auditor, Suppl - One Time Payment & WC adjustment
    - ii. Data Processing Board, Suppl - Onetime payment
  - b. Auditor, Supplemental - Adjust to projected need due to bonuses
  - c. Common Pleas Court, Transfer - Need for supplies
  - d. Probate Court, Supplemental - To Probate for one time payment
  - e. Juvenile Court, Supplemental - To Probate for one time payment
  - f. Sheriff's Department, Transfer - To cover projected deficits
  - g. Budget Commission, Supplemental - Adjust to projected need due to bonuses
  - h. Data Processing Board, Supplemental - One time payment
2. Other Funds Amendments to the Annual Appropriation Resolution:/11-1015
  - a. Fund 1111, Sheriff Courtroom Deputies -Supplemental, Return cash advance
  - b. Fund 1149, Felony Delinque Care & Custody - Supplemental, Approp from unem cash
  - c. Fund 1254, Neighborhood Stabilization NSP - Supplemental, Adjust for rounding
  - d. Fund 1310, Mental Health & Recovery Board - Supplemental, To move funds to 1<sup>st</sup> half
  - e. Fund 3114, SA PCS Bond 2001 - Supplemental, To return cash advance
  - f. Fund 5100, Nursing Home General Administration - Transfer, Year End Projected Need
  - g. Fund 5200, CS General Administration - Supplemental, Anticipated Expenses
  - h. Fund 5317, PCS Aurora Meadows Subdivision - Supplemental, Anticipated Expenses
  - i. Fund 5400, PCW General Administration - Supplemental, Anticipated Expenses
  - j. Fund 5508 PCW Rav Training & Logistics - Supplemental, Actual & Est end of year
  - k. Fund 5600, Sts General Administration - Supplemental, Anticipated Expenses
3. Cash Advance Repayment - From Fund 1111, Sheriff Courtroom Deputies to Fund 0001, General Fund/11-1016
4. Cash Advance Repayment - From Fund 3114, SA PCS Bond 2001 to Fund 0001, General Fund/11-1017
5. Cash Advance Repayment - From Fund 3114, SA PCS Bond 2001 to Fund 0001, General Fund/11-

1018

6. Cash Advance Repayment - From Fund 3114, SA PCS Bond 2001 to Fund 0001, General Fund/11-1019
7. Cash Advance Repayment - From Fund 3114, SA PCS Bond 2001 to Fund 0001, General Fund/11-1020
8. Cash Advance Repayment - From Fund 3114, SA PCS Bond 2001 to Fund 0001, General Fund/11-1021
9. Close Fund 4005, Local Public Agency (REPLCMNT)/11-1022
10. Close Fund 4203, Issue II Bridge Program/11-1023
11. Close Fund 4204, Sign And Sign Updates/11-1024
12. Close Fund 4205, Bridge Program/11-1025
13. Close Fund 4209, Tallmadge Rd Bridge Replacmnt/11-1026

RESOLUTION No. 11-1014

- RE: AMENDMENT TO THE GENERAL FUND 2011 ANNUAL APPROPRIATION RESOLUTION NO. 10-1142 ADOPTED DECEMBER 16, 2010

It was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles that the following resolution be adopted:

RESOLVED, that it has become necessary to amend the General Fund 2011 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below:

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 0001 General Fund</b>		
<b>010 Commissioners Other</b>		
00107 Commissioner Other OE	0	14,238
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 14,238</b>

Note: Adjust to projected need One Time Payment

<b>100 Auditor</b>		
01103 Auditor Financial M Fringes	398	15
0110D Auditor Financial Ma Full Time	6,163	-
01123 Auditor Real Property Fringes	6	1
0112D Auditor Real Propert Full Time	692	-
01143 Auditor Tax Settlement Fringes	2	-
0114D Auditor Tx Settlemnt Full Time	129	-
01153 Auditor Weights & Meas Fringes	15	-
0115D Auditor Weights & Meas Full Ti	866	-
<b>MEMO TOTAL</b>	<b>\$ 8,271</b>	<b>\$ 16</b>

Note: Adjust to projected need Need due to bonuses

<b>530 Common Pleas Court</b>		
05304 Common Pleas Court CS	0	605
05305 Common Pleas Court MS	605	-
<b>MEMO TOTAL</b>	<b>\$ 605</b>	<b>\$ 605</b>

Note: Needed for supplies

	<i>Increase</i>	<i>Decrease</i>
<b>560 Probate Court</b>		
0560D Probate Court Full Time	750	-
<b>MEMO TOTAL</b>	<b>750</b>	<b>\$ -</b>

Note: TO PROBATE FOR 1 TIME PAYMENT

<b>570 Juvenile Court</b>		
0570D Juvenile Court Full Time	0	750
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 750</b>

Note: TO PROBATE FOR 1 TIME PAYMENT

<b>700 Sheriff's Department</b>		
07003 Sheriff-General Fringes	0	1,000
07004 Sheriff-General Admin CS	10,000	5,000
07005 Sheriff-General Admin MS	3,000	3,000
07104 Sheriff-Corrections CS	0	4,000
07105 Sheriff-Corrections MS	0	20,000
0710E Sheriff-Corrections Part Time	10,000	-
07203 Sheriff-Detectives Fringes	5,000	-
0720D Sheriff-Detectives Full Time	5,000	-
<b>MEMO TOTAL</b>	<b>\$ 33,000</b>	<b>\$ 33,000</b>

Note: To cover (projected) deficits

<b>913 Budget Commission</b>		
09133 Budget Commission Fringes	10	19
0913D Budget Commission Full Time	736	-
<b>MEMO TOTAL</b>	<b>\$ 746</b>	<b>\$ 19</b>

Note: Adjust to projected need Need due to bonuses

<b>915 Data Processing Board</b>		
09153 Data Processing Bd Fringes	66	-
0915D Data Processing Bd Full Time	5,190	-
<b>MEMO TOTAL</b>	<b>\$ 5,256</b>	<b>\$ -</b>

Note: One Time Payment



	<i>Increase</i>	<i>Decrease</i>
<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>	<b>\$ 48,628</b>	<b>\$ 48,628</b>

; and be it further

**RESOLVED,** that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call as Follows:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Tommie Jo Marsilio, Vice President

**SECONDER:** Christopher Smeiles, Board Member

**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

RESOLUTION No. 11-1015

RE: AMENDMENT TO THE NON GENERAL FUND  
2011 ANNUAL APPROPRIATION RESOLUTION  
NO 10-1143 ADOPTED DECEMBER 16, 2010

It was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles that the following resolution be adopted:

RESOLVED, that it has become necessary to amend the Non General Fund 2011 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below:

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1111 Sheriff Courtroom Deputies</b>		
<b>700 Sheriff's Department</b>		
11119 Sheriff Courtroom Deputies ME	590	-
<b>MEMO TOTAL</b>	<u><u>\$ 590</u></u>	<u><u>\$ -</u></u>

Note: Return Cash Advance

<b>Fund: 1149 Felony Delinque Care &amp; Custody</b>		
<b>570 Juvenile Court</b>		
11494 Juv Feny Delnq Care CS	1,000	-
11495 Juv Feny Delnq Care MS	1,000	-
<b>MEMO TOTAL</b>	<u><u>\$ 2,000</u></u>	<u><u>\$ -</u></u>

Note: PLEASE APPROP. FROM UNEN.CASH

<b>Fund: 1254 Neighborhood Stabilization NSP</b>		
<b>081 Community Development</b>		
12544 Neighborhd Stabilizat NSP CS	1	-
<b>MEMO TOTAL</b>	<u><u>\$ 1</u></u>	<u><u>\$ -</u></u>

Note: Adjust for Rounding

<b>Fund: 1310 Mental Health &amp; Recovery Board</b>		
<b>904 Mental Health &amp; Recovery Board</b>		
13104 Mental Health & Recovery CS	100,000	-
<b>MEMO TOTAL</b>	<u><u>\$ 100,000</u></u>	<u><u>\$ -</u></u>

Note: To move funds to 1st half

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 3114 SA PCS Bond 2001</b>		
<b>000 Undefined</b>		
31149 SA PCS Bonds 2001 ME	57,231	-
<b>MEMO TOTAL</b>	<b>57,231</b>	<b>\$ -</b>

Note: To return Cash Advances

<b>Fund: 5100 Nursing Home General Administr</b>		
<b>054 Nursing Home</b>		
51003 Nursing Home Gen Fringes	-	10,000
5100M Nursing Home Gen Overtime	10,000	-
<b>MEMO TOTAL</b>	<b>\$ 10,000</b>	<b>\$ 10,000</b>

Note: Projected Need for YE

<b>Fund: 5200 PCS General Administration</b>		
<b>060 Water Resources</b>		
52004 Portage County Sewer CS	75,000	-
52005 Portage County Sewer MS	40,000	-
52009 Portage County Sewer ME	100,000	-
<b>MEMO TOTAL</b>	<b>\$ 215,000</b>	<b>\$ -</b>

Note: Anticipated expenses

<b>Fund: 5317 PCS Aurora Meadows Subdivision</b>		
<b>060 Water Resources</b>		
53176 PCS Aurora Meadows Subdiv CO	5,985	-
<b>MEMO TOTAL</b>	<b>\$ 5,985</b>	<b>\$ -</b>

Note: Anticipated expenses

<b>Fund: 5400 PCW General Administration</b>		
<b>060 Water Resources</b>		
54004 Portage County Water CS	75,000	-
54005 Portage County Water MS	30,000	-
54009 Portage County Water ME	100,000	-
<b>MEMO TOTAL</b>	<b>\$ 205,000</b>	<b>\$ -</b>

Note: Anticipated expenses

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 5508 PCW Rav Training &amp; Logistics</b>		
<b>060 Water Resources</b>		
55084 PCW Rav Training & Logistic CS	240,000	-
<b>MEMO TOTAL</b>	<b>240,000</b>	<b>\$ -</b>

Note: Actual & Est. end of year

<b>Fund: 5600 StS General Administration</b>		
<b>060 Water Resources</b>		
56004 Streetsboro Sewer CS	50,000	-
56005 Streetsboro Sewer MS	50,000	-
56009 Streetsboro Sewer ME	100,000	-
<b>MEMO TOTAL</b>	<b>\$ 200,000</b>	<b>\$ -</b>

Note:

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<b>\$ 1,035,807</b>	<b>\$ 10,000</b>
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Anticipated expenses

; and be it further

**RESOLVED,** that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call as Follows:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

**RESULT:** ADOPTED [UNANIMOUS]

**MOVER:** Tommie Jo Marsilio, Vice President

**SECONDER:** Christopher Smeiles, Board Member

**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1016 - RE: CASH ADVANCE REPAYMENT - FROM FUND 1111, SHERIFF COURTROOM DEPUTIES TO FUND 0001, GENERAL FUND**

**WHEREAS,** on July 22, 2010, the Board of Commissioners adopted Resolution No. 10-0691, approving a cash advance in the amount of \$ 20,000.00 until grant revenues were received, and

**WHEREAS,** Fund 1111, Sheriff Courtroom Deputies, has received grant revenues; now therefore be it

**RESOLVED,** that the following cash advance repayment be made in the amount of \$ 20,000.00:

**FROM:**

FUND 1111, SHERIFF COURTROOM DEPUTIES

ORGCODE - 11117309

Debit Expense Account

Object - 921000 - Advance Out - Returns \$ 20,000.00

**TO:**

FUND 0001, GENERAL FUND

ORGCODE- 00100002

Credit Revenue Account

Object - 291000 - Advance In - Repayment \$ 20,000.00

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Portage County Sheriff and the Department of Budget & Financial Management, and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

**RESULT:** ADOPTED [UNANIMOUS]

**MOVER:** Tommie Jo Marsilio, Vice President

**SECONDER:** Christopher Smeiles, Board Member

**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11 -1017 - RE: CASH ADVANCE REPAYMENT - FROM FUND 3114, SA PCS BOND 2001 TO FUND 0001, GENERAL FUND**

**WHEREAS,** on October 26, 2006, the Board of Commissioners adopted Resolution No. 06-0980, approving a cash advance in the amount of \$ 332.00, for Fund 3114, S/A PCS Bond 2001 until sufficient funds were collected through the collection of special assessments and,

**WHEREAS,** the cash balance is now sufficient to return the Cash Advance to Fund 3114, SA PCS Bond 2001; now therefore be it

**RESOLVED,** that the following cash advance repayment be authorized in the amount of \$332.00:

**FROM:**

FUND 3114, S/A PCS BOND 2001

ORGCODE - 31140109

Debit Expense Account

Object Code - 921000 - Advance-out Returns \$ 332.00

**TO:**

FUND 0001, GENERAL FUND

ORGCODE - 00100002

Credit Revenue Account

Object Code - 291000 Advance - In repayment \$ 332.00

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the Portage County Auditor, the Department of Budget and Financial Management and the Water Resources Department; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

**RESULT:** ADOPTED [UNANIMOUS]

**MOVER:** Tommie Jo Marsilio, Vice President

**SECONDER:** Christopher Smeiles, Board Member

**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1018 - RE: CASH ADVANCE REPAYMENT - FROM FUND 3114,  
SA PCS BOND 2001 TO FUND 0001, GENERAL FUND**

**WHEREAS,** on August 28, 2007, the Board of Commissioners adopted Resolution No. 07-0864, approving a cash advance in the amount of \$15,000.00, for Fund 3114, S/A PCS Bond 2001 until sufficient funds were collected through the collection of special assessments and,

**WHEREAS,** the cash balance is now sufficient to return the Cash Advance to Fund 3114, SA PCS Bond 2001; now therefore be it

**RESOLVED,** that the following cash advance repayment be authorized in the amount of \$15,000.00:

**FROM:**

FUND 3114, S/A PCS BOND 2001

ORGCODE - 31140109

Debit Expense Account

Object Code - 921000 - Advance-out Returns \$ 15,000.00

**TO:**

FUND 0001, GENERAL FUND

ORGCODE - 00100002

Credit Revenue Account

Object Code - 291000 Advance - In repayment \$ 15,000.00

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the Portage County Auditor, the Department of Budget and Financial Management and the Water Resources Department; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

**RESULT:** ADOPTED [UNANIMOUS]

**MOVER:** Tommie Jo Marsilio, Vice President

**SECONDER:** Christopher Smeiles, Board Member

**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1019** - **RE: CASH ADVANCE REPAYMENT - FROM FUND 3114, SA PCS BOND 2001 TO FUND 0001, GENERAL FUND**

It was moved by Tommie Jo Marsilio, seconded by, Christopher Smeiles that the following resolution be adopted:

**WHEREAS,** on September 2, 2008, the Board of Commissioners adopted Resolution No. 08-0895, approving a cash advance in the amount of \$14,271.00, for Fund 3114, S/A PCS Bond 2001 until sufficient funds were collected through the collection of special assessments and,

**WHEREAS,** the cash balance is now sufficient to return the Cash Advance to Fund 3114, SA PCS Bond 2001; now therefore be it

**RESOLVED,** that the following cash advance repayment be authorized in the amount of \$14,271.00:

**FROM:**

FUND 3114, S/A PCS BOND 2001

ORGCODE - 31140109

Debit Expense Account

Object Code - 921000 - Advance-out Returns \$ 14,271.00

**TO:**

FUND 0001, GENERAL FUND

ORGCODE - 00100002

Credit Revenue Account

Object Code - 291000 Advance - In repayment \$ 14,271.00

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the Portage County Auditor, the Department of Budget and Financial Management and the Water Resources Department; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b> ADOPTED [UNANIMOUS]
<b>MOVER:</b> Tommie Jo Marsilio, Vice President
<b>SECONDER:</b> Christopher Smeiles, Board Member
<b>AYES:</b> Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1020 - RE: CASH ADVANCE REPAYMENT - FROM FUND 3114, SA PCS BOND 2001 TO FUND 0001, GENERAL FUND**

**WHEREAS,** on September 15, 2009, the Board of Commissioners adopted Resolution No. 09-0850, approving a cash advance in the amount of \$15,566.00, for Fund 3114, S/A PCS Bond 2001 until sufficient funds were collected through the collection of special assessments and,

**WHEREAS,** the cash balance is now sufficient to return the Cash Advance to Fund 3114, SA PCS Bond 2001; now therefore be it

**RESOLVED,** that the following cash advance repayment be authorized in the amount of \$15,566.00:

**FROM:**

FUND 3114, S/A PCS BOND 2001

ORGCODE - 31140109

Debit Expense Account

Object Code - 921000 - Advance-out Returns \$ 15,566.00

**TO:**

FUND 0001, GENERAL FUND

ORGCODE - 00100002

Credit Revenue Account

Object Code - 291000 Advance - In repayment \$ 15,566.00

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the Portage County Auditor, the Department of Budget and Financial Management and the Water Resources Department; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open

meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1021 - RE: CASH ADVANCE REPAYMENT - FROM FUND 3114, SA PCS BOND 2001 TO FUND 0001, GENERAL FUND**

**WHEREAS,** on November 16, 2010, the Board of Commissioners adopted Resolution No. 10-1059, approving a cash advance in the amount of \$12,061.79, for Fund 3114, S/A PCS Bond 2001 until sufficient funds were collected through the collection of special assessments and,

**WHEREAS,** the cash balance is now sufficient to return the Cash Advance to Fund 3114, SA PCS Bond 2001; now therefore be it

**RESOLVED,** that the following cash advance repayment be authorized in the amount of \$12,061.79:

**FROM:**  
FUND 3114, S/A PCS BOND 2001  
ORGCODE - 31140109  
Debit Expense Account  
Object Code - 921000 - Advance-out Returns           \$ 12,061.79

**TO:**  
FUND 0001, GENERAL FUND  
ORGCODE - 00100002  
Credit Revenue Account  
Object Code - 291000 Advance - In repayment       \$ 12,061.79

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the Portage County Auditor, the Department of Budget and Financial Management and the Water Resources Department; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1022 - RE: CLOSING OF FUND 4005, LOCAL PUBLIC AGENCY (REPLCMNT)**

**WHEREAS,** fiscal activity has ceased in Fund 4005, Local Public Agency (Replcmnt), all payments have been made and the Treasurer's Cash Balance is \$0.00; now therefore be it

**RESOLVED,** that Fund 4005, Local Public Agency (Replcmnt) is hereby closed; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Auditor, Portage County Engineer and the Department of Budget and Financial Management, and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1023 - RE: CLOSING OF FUND 4203, ISSUE II BRIDGE PROGRAM**

It was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles that the following resolution be adopted:

**WHEREAS,** fiscal activity has ceased in Fund 4203, Issue II Bridge Program, all payments have been made and the Treasurer’s Cash Balance is \$0.00; now therefore be it

**RESOLVED,** that Fund 4203, Issue II Bridge Program is hereby closed; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Auditor, Portage County Engineer and the Department of Budget and Financial Management, and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1024 - RE: CLOSING OF FUND 4204, SIGN AND SIGN UPDATES**

**WHEREAS,** fiscal activity has ceased in Fund 4204, Sign and Sign Updates, all payments have been made and the Treasurer’s Cash Balance is \$0.00; now therefore be it

**RESOLVED,** that Fund 4204, Sign and Sign Updates is hereby closed; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Auditor, Portage County Engineer and the Department of Budget and Financial Management, and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1025 - RE: CLOSING OF FUND 4205, BRIDGE PROGRAM**

**WHEREAS,** fiscal activity has ceased in Fund 4205, Bridge Program, all payments have been made and the Treasurer’s Cash Balance is \$0.00; now therefore be it

**RESOLVED,** that Fund 4205, Bridge Program is hereby closed; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Auditor, Portage County Engineer and the Department of Budget and Financial Management, and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1026 - RE: CLOSING OF FUND 4209, TALLMADGE RD BRIDGE REPLACMT**

**WHEREAS,** fiscal activity has ceased in Fund 4209, Tallmadge Rd Bridge Replacmt, all payments have been made and the Treasurer’s Cash Balance is \$0.00; now therefore be it

**RESOLVED,** that Fund 4209, Tallmadge Rd Bridge Replacmt is hereby closed; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Auditor, Portage County Engineer and the Department of Budget and Financial Management, and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
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<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**WATER RESOURCES**

Present: Jeff Lonzrick

**Discussion**

1.     **RESOLUTION**         -     Fixing charges for the use of the sanitary sewerage system in the Portage County Regional Sewer District, Fund 5200, pursuant to Chapter 6117, Ohio Revised Code, and repealing Resolution No. 10-1164 adopted December 21, 2010/11-1027.
  
2.     **RESOLUTION**         -     Fixing rates for water supplied in the Portage County Regional Sewer District, Fund 5400, and repealing Resolution 10-1165 adopted December 21, 2010/11-1028.
  
3.     **RESOLUTION**         -     Fixing charges for the use of the sanitary sewerage system in the Portage County Regional Sewer District, Fund 5600, pursuant to Chapter 6117, Ohio Revised Code, and repealing Resolution No. 10-1166 adopted December 21, 2010/11-1029.
  
4.     **SIGNATURES**         -     Personnel Requisition for Laborer/Journal Entry. The Board noted that this employee will be hired for the new Vactor flush truck.
  
5.     **SIGNATURES**         -     Personnel Requisition for Equipment Operator 1/Journal Entry. . The Board noted that this employee will be hired for the new Vactor flush truck.
  
6.     **SIGNATURES**         -     Application and Certificate for Final Payment to Penn-Ohio Electrical for Cleveland to Aurora Water Line Phase 2, Contract B Express Watermain & Booster Station; SH-W (06-300) /Journal Entry.
  
7.     **SIGNATURES**         -     Approval to pay annual bonuses to Water Resources On-Call Supervisors for 2011/Journal Entry. The Director noted that to pay these employees an hourly rate would be more costly than compensating them for hours called out for emergencies after the regular work day. Commissioner Marsilio noted that she is okay with paying employees for hours that they have worked. The Director will provide the detailed information regarding these payments for Board of Commissioners' review.
  
8.     Director Audrey Tillis asked that the Board of Commissioners acknowledge the receipt of the Ohio

Environmental Protection Agency Education Fund Mini Grant No. F-12M-012 for \$1,000 for the Portage County Water Resources Department for the creation of educational pamphlets for area residents about drinking water and wastewater treatment The Board noted that the correct grant procedure was not followed when applying for this funding so there is no authorizing resolution nor acceptance resolution.

The Board of Commissioners authorized Portage County Water Resources Department Water & Monitoring Division Manager to sign and return the grant agreement as the Authorizing Agent. Department of Budget & Financial Management Accountant and Budget Analyst John Leskovyansky will be the county financial contact for this grant/Journal Entry.

9. Director Lonzrick advised the Board of Commissioners that he would like authorization to shut off the water for the Auto Spa located at the Cascades due to delinquent water and sewer charges. A May 27, 2011 correspondence to the company advising that the water meter is not working correctly and asking that the company contact the Water Resources Department was unanswered.

The Board of Commissioners agreed that the Water Resources Department should send a certified letter to Auto Spa advising of the shut off of water on Monday, December 5, 2011 due to non-payment. The Director will also fax the shut off notice and take a hard copy of the notice to the site.

The Board of Commissioners asked the Director to draft a policy that would allow the Water Resources Department to shut off water after notice of delinquent balances.

#### **Resolution**

1. **RESOLUTION** - Fixing charges for the use of the sanitary sewerage system in the Portage County Regional Sewer District, Fund 5200, pursuant to Chapter 6117, Ohio Revised Code, and repealing Resolution No. 10-1164 adopted December 21, 2010.
2. **RESOLUTION** - Fixing rates for water supplied in the Portage County Regional Sewer District, Fund 5400, and repealing Resolution 10-1165 adopted December 21, 2010.
3. **RESOLUTION** - Fixing charges for the use of the sanitary sewerage system in the Portage County Regional Sewer District, Fund 5600, pursuant to Chapter 6117, Ohio Revised Code, and repealing Resolution No. 10-1166 adopted December 21, 2010.

**Motion To: RESOLUTION NO. 11-1027**

**RESOLUTION NO. 11- 1027                    -            RE:            FIXING CHARGES FOR THE USE OF THE SANITARY SEWERAGE SYSTEM IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, FUND 5200, PURSUANT TO CHAPTER 6117, OHIO REVISED CODE, AND REPEALING RESOLUTION 10-1164 ADOPTED DECEMBER 21, 2010.**

**WHEREAS,** this Board, has heretofore established by Resolution No. 74-78, adopted on April 11, 1974, the Portage County Regional Sewer District hereinafter referred to as the Regional Sewer "DISTRICT"; and

**WHEREAS,** this Board is authorized by the pertinent provision of Chapter 6117 of the Ohio Revised Code, to fix reasonable rates to be charged for the use of the sewers or sewage treatment disposal works referred to in such Chapter, by every person, firm or corporation whose premises are served by a connection to such sewers or sewage treatment or disposal works when such sewers or sewage treatment or disposal works are owned or operated by the County and may change such rates as it deems advisable; and

**WHEREAS,** the sanitary sewer system serving the District consists of sewers and sewage treatment and disposal works as referred to in such Chapter 6117; and

**WHEREAS,** to distribute equitably the cost of providing sewage system collection, conveyance, treatment and disposal facilities among the present and future users of the System, this Board has determined to establish rates to be charged which, in its judgment are reasonable and proper having due regard to all relevant circumstances and conditions, as hereinafter set forth;

**RESOLVED,** by the Board of County Commissioners of Portage County, Ohio, that:

SECTION 1. SEWER SERVICE CHARGE

Sewer service charge means the total charge which is assessed users of the sewage system, and includes user charges and a fixed charge subject to change at any time and from time to time by resolution of this board, each person, firm or corporation whose premises are served by a connection to the System shall be charged a quarterly sewer service charge determined from time to time as hereinafter set forth.

SECTION 2. DETERMINATION OF SERVICE UNITS FOR NON-METERED USERS

For the purpose of calculating the charges herein provided for and having given due consideration to the volumes, strength and other characteristics of the sewage emanating from the premises served by the System, it is hereby determined that the following uses of such premises shall be assigned the following Service Units for non-metered users:

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE		TRUNK	PLANT
PER	NOTES	UNITS*	UNITS.
Apartments:			
1 Bedroom		0.6250	0.6250 Apartment
2 Bedroom		0.7500	0.7500 Apartment
3 Bedroom		0.8750	0.8750 Apartment
4 Bedroom		1.0000	1.0000 Apartment
Assembly Halls/Banquet Halls		0.0375	0.0375 Employee
(Without kitchen facilities)		0.0075	0.0075 Seat
(With kitchen facilities)	A	0.0175	0.0175 Seat
Barber Shop		0.2000	0.2000 Barber Chair
Beauty Parlor		0.5000	0.5000 Basin
Bowling Alleys		0.1875	0.1875 Lane
Car Wash	B	0.7250	0.7250 Hand Bay
		2.1500	2.1500 Auto Bay
Campground or recreational park			
Primitive w/o showers		0.075	0.075 Site
Primitive w/showers		0.150	0.150 Site
Site with w/o water hookup		0.150	0.150 Site
Site with water hookup		0.225	0.225 Site
Churches (Small) Less than 200 sanctuary seats			
(Without kitchen)		0.0075	0.0075 Sanctuary Seat
(With kitchen) A		0.0125	0.0125 Sanctuary Seat
Churches (Large) More than 200 sanctuary seats			
(Without kitchen)		0.0125	0.0125 Sanctuary Seat
(With Kitchen)A		0.0175	0.0175 Sanctuary Seat
Coffee Shop		0.0375	0.0375 Employee
		0.0125	0.0125 Seat
Condominiums		1.0000	1.0000 Each
Convenience Store (with gas sales)		0.0375	0.0375 Employee
		0.0125	0.0125 Parking Space
		1.2500	1.2500 Pump Island
Country Clubs		0.1250	0.1250 Member
Dance Halls			
(without kitchen facilities)		0.0075	0.0075 Patron

(with kitchen facilities	0.0175	0.0175	Patron
Daycare Facility	0.0875	0.0875	Employee
	0.0250	0.0250	Student
Dentist Office	0.0875	0.0875	Employee
	0.0250	0.0250	Patient
	0.1875	0.1875	Dentist
Doctor Office	0.0875	0.0875	Employee
	0.0250	0.0250	Patient
Drive Inn Theater	0.0250	0.0250	Car Space
Factories:			
No Showers	0.0625	0.0625	Employee
W/Showers	0.0875	0.0875	Employee

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE		TRUNK	PLANT
PER	NOTES	UNITS*	UNITS.
Food Service Operations:			
Ordinary Restaurant (not 24 hr)	A	0.0875	0.0875 Seat
Ordinary Restaurant (24 hour)	A	0.1500	0.1500 Seat
Fast Food (not 24 hour)	A	0.0625	0.0625 Seat
Fast Food (24 Hour)	A	0.0875	0.0875 Seat
Curb Service	A	0.0620	0.0625 Parking space
Hospitals-No Resident Personnel	A	0.8750	0.8750 Employee
	A	0.7500	0.7500 Bed
		0.0875	0.0875 Employee
House (residential)		1.0000	1.0000 House
Institutions-Resident	A	0.2500	0.2500 Bed
Laundries - (Public) Coin Operated		1.00	1.00 Machine
<u>Laundry Wastes Require Special Consideration--Consult District Sanitary Engineer</u>			
Motels or Hotel	A	0.25	0.25 Room
Nursing & Rest Homes	A	0.25	0.25 Resident Employee
		0.125	0.125 Non-Resd. Employee
		0.50	0.50 Bed
Office Building		0.0500	0.050 Employee
Retail Store		0.0375	0.0375 Employee

		0.030	0.030	Parking space
Schools:		0.0375	0.0375	Employee
	Elementary (A if cafeteria)	0.0375	0.0375	Pupil
	Junior & Senior High (A if cafeteria)	0.0500	0.0500	Pupil
Service Stations:	B	1.25	1.25	Bay
		1.25	1.25	Island
Shopping Center		0.0375	0.0375	Employee
	Without food service	0.005	0.005	Parking Space
	With food service A	0.0125	0.0125	Parking Space
Swimming Pools				
	Without hot showers	0.0125	0.0125	Swimmer
	With hot showers	0.0250	0.0270	Swimmer
Theater		0.0125	0.0125	Seat
Trailer Parks:				
	Single Wide Trailer	0.7500	0.7500	Single Wide Trailer
	Double Wide Trailer	0.7500	0.7500	Double Wide Trailer
Travel Trailer Parks & Camp		0.3125	0.3125	Trailer or Space
	Travel Trailer Dump Station (Holding Tank to be pumped out & hauled away)			
Vacation Cottages				
	Without Kitchen	0.1250	0.1250	Person
	With Kitchen	0.1875	0.1875	Person
Veterinarian Office & Animal Hospital (Outside trash trap may be required if over 10 kennels)		0.050	0.050	Kennel/Cage/Run
		0.0375	0.0375	Employee

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE	NOTES	TRUNK UNITS*	PLANT UNITS.
Youth & Recreation Camps		0.0375	0.0375 Employee
		0.125	0.125 Employee overnight
		0.125	0.125 Camper overnight
		0.0375	0.0375 Camper (food service)

0.0250

0.0250 Camper (no food service)

- NOTES: A. Approved outside grease trap required.  
 B. Approved outside oil interceptor required.

\* One unit equals the trunk and plant capacity requirements of a single-family residence, which is estimated at 400 gallons per day of wastewater.

A minimum of one unit shall be utilized for billing charges.

Trailer parks shall be billed in accordance with the equivalency chart above unless a flow meter approved by the Portage County Water Resources Department has been installed and is operational. Such metered parks will be billed at the existing commercial rate. Under no circumstances will a park or individual trailer owner be billed less than one unit.

In the case of any uses not described above, the Sanitary Engineer is authorized to establish the applicable service unit for such premises using generally accepted engineering principles and criteria until further legislative determination by this Board or until the installation of a water meter.

SECTION 3. CHARGES - COUNTY OWNED FACILITIES:

That for the purposes provided in Section 10 hereof, there is hereby fixed and charged to each person, firm or corporation whose premises have a connection with the following treatment plant or otherwise discharge sewage, industrial wastes, water or other liquids, either directly or indirectly into such sewer facilities, sewer rates for each service unit, payable and hereinafter provided, in the respective amounts as follows:

1. Quarterly Sewer Service Charge:

A. Zone 2 - Bolingbrook (SH-2), Brimfield (BR-2), Franklin Hills (FR-1), Red Fox (SH-1), Shalersville Township (SH-4), Twin Lakes (FR-2), Western Reserve (N-1), and Mantua Township (M-1) Sewer Service Areas.

The quarterly sewer service charge for single family residential users shall be:

2011	\$ 112.27
2012	\$ 112.27

During such period, in the case of non-residential premises serving food (Commercial Food Service), the quarterly sewer service charge for 1,000 cubic feet of metered water consumption shall be:

PER 1,000 CUBIC FT	MINIMUM BILL	
2011	\$ 55.41	\$ 112.27
2012	\$ 55.41	\$ 112.27

In the case of all other non-residential premises (Commercial and Public Authority User) the quarterly sewer service charge shall be:

PER 1,000 CUBIC FT	MINIMUM BILL	
2011	\$ 43.81	\$ 112.27
2012	\$ 43.81	\$ 112.27

Zone 2 year begins on December 1, 2011 and ends on November 30, 2012.

B. Zone 3 - Atwater Sewer Service Area (AT-1), West Branch Service Area (CH-1) Ravenna Regional Sewer Service Area (RV-O), Fairlane Estates Sewer Service Area (SU-1), Rivermoor Sewer Service Area, (SU-2) and the New Milford Sewer Service Area.

The quarterly sewer service charge for single family residential users shall be:

2011	\$ 112.27
2012	\$ 112.27

During such period, in the case of non-residential premises serving food (Commercial Food Service), the quarterly sewer service charge for 1,000 cubic feet of metered water consumption shall be:

PER 1,000 CUBIC FT	MINIMUM BILL	
2011	\$ 55.41	\$ 112.27
2012	\$ 55.41	\$ 112.27

In the case of all other non-residential premises (Commercial and Public Authority User) the quarterly sewer service charge shall be:

PER 1,000 CUBIC FT	MINIMUM BILL	
2011	\$ 43.81	\$ 112.27
2012	\$ 43.81	\$ 112.27

C. Randolph Sewer Service Area (RA-3).

The quarterly sewer service charge for single family residential users shall be:

2011	\$ 94.00
2012	\$ 94.00

For premises with metered water consumption, in the case of non-residential premises servicing food (Commercial Food Service), the quarterly sewer service charge shall be:

PER 1,000 CUBIC FT	MINIMUM BILL	
2011	\$ 65.69	\$ 118.77
2012	\$ 65.69	\$ 118.77

In the case of all other non-residential premises (Commercial and Public Authority User) the quarterly sewer service charge shall be:

PER 1,000 CUBIC FT	MINIMUM BILL	
2011 \$ 54.83 \$ 118.77		
2012	\$ 54.83	\$ 118.77

D. Allen Aircraft - Quarterly Sewer Service Charge

In the case of the Allen Aircraft Products Industrial Waste connection, Zone 3, the quarterly sewer service charge shall be:

PER 1,000 CUBIC FT	MINIMUM BILL	
2011 \$ 27.63 \$ 112.27		
2012	\$ 27.63	\$ 112.27

2. Surcharge

A. Extra Strength Waste & Excessive Flow Surcharge

Users that discharge extra strength waste into the sanitary sewer system or exceed original permit design flow to the system shall be surcharged for such flow. The surcharge rate shall be determined by the Sanitary

Engineer using the Rules and Regulations governing Portage County and the Streetsboro Sewer District No. 4 and the current user rate and tap-in fee resolutions. The surcharge shall be in conjunction with the Quarterly Sewer Service Charge per Section 3 and Section 4 of this resolution.

B. Project Construction Surcharge

1. Zone 2

Aurora Meadows Surcharge: In addition to the quarterly sewer service charge all residential, commercial, commercial food service and industrial users connected to the Aurora Meadows Sanitary Sewer System (M1-06-190) will pay a capital surcharge of \$43.45 per equivalent resident unit per quarter for a period of 40 years, ending December 31, 2050.

2. Zone 3

a. Black Horse Surcharge: In addition to the quarterly sewer service charge all existing residences, businesses, and institutions in the Black Horse Service Area will pay a capital surcharge of \$30.60 per equivalent resident unit per quarter until a total amount of \$612.00 per residential equivalent unit is paid, (in place of normal front foot charges). This is due to the availability of Community Development Block Grant and Issue 2 funding. All future customers in the Black Horse Service Area without existing on site systems are required to pay the then current normal front foot, trunk and plant charges as part of their normal sewer permit process.

b. New Milford Surcharge: In addition to the quarterly sewer service charge all existing residences, businesses, and institutions in the New Milford Service Area will pay a capital surcharge of \$110.00 per equivalent resident unit per quarter until a total amount of \$1760 per residential equivalent unit is paid, (in place of normal front foot, trunk, and plant charges). This is due to the availability of Community Development Block Grant and Issue 2 funding. All future customers in the New Milford Service Area without existing on site systems, are required to pay the then current normal front foot, trunk and plant charges as part of their normal sewer permit process.

c. Randolph Surcharge: Additionally all residences in the Randolph Service Area will pay a capital surcharge of \$62.25 per equivalent resident unit per quarter for a period of 40 years, ending December 31, 2046. Note: A duplex shall be considered as one residential unit for surcharge purposes only.

3. Fixed Charge

In addition to the amounts calculated in accordance with SECTION 3, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 4. CHARGES - COUNTY OPERATED FACILITIES.

There is hereby fixed and charged to each person, firm or corporation owning sewer facilities and using the Portage County Water Resources Lab Facilities, payable as hereinafter provided in the respective amounts per quarter as follows:

1. Quarterly Sewer Service Charge:

A. Southeast School Sewage Treatment Plant. Zone 3

The quarterly sewer service charge for services provided by the Water Resources Department shall be:

FOR THE PERIOD FROM:	RATE PER QUARTER
1-01-2011 TO 12-31-2011	\$1,316.35
1-01-2012 TO 12-31-2012	\$1,316.35

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 5. QUARTERLY BILLING AND PAYMENT OF CHARGES PENALTY

The Water Resources Department shall bill the charges herein provided for at the end of each quarter. The amount billed shall be due and payable within 21 days of being mailed; except those rates applicable to properties owned or leased by political subdivisions, of the State Of Ohio shall be due and payable without penalty no later than the 30th day following the billing date. A penalty equal to 10 percent of the unpaid current billing that has not been received by the close of business on the last day such bill is due and payable without penalty shall be added to the unpaid amount of that bill. The "due date" (the date by which payment may be received without penalty) will be shown on the bill. This penalty may be waived at the discretion of the Sanitary Engineer.

SECTION 6. DISCOUNT PROGRAM

The Portage County Discount Program ("Discount Program") will apply to qualified residential customers. A discount of 10% will be deducted from the sewer charge for qualified residential customers.

A "qualified residential customer" shall be defined as an individual who receives sanitary sewer service from Portage County Water Resources Department, is currently receiving the Homestead Tax Exemption as contained in Section 323.151 of the Ohio Revised Code for the property which the deduction is requested, and is responsible for the payment of the sanitary sewer utility bill.

## SECTION 7. EFFECTIVE DATE OF NEW CONNECTION

The effective date of connection to the sanitary sewer system for new building construction shall be the first day of the first month after 90 days has elapsed from the date of lateral installation or the date of occupancy, whichever comes first. If the connection is to an existing building, modular unit, prefab unit or trailer unit the billing shall begin the day of such connection as certified by the County's Sanitary Engineer. Billing shall be prorated from the effective date of connection. If the building (commercial or residential) is on the Portage County Water System, billing starts the date the water is turned on.

## SECTION 8. CONTINUING CHARGE IN THE ABSENCE OF DISCONNECTION

So long as the premises of a person, firm or corporation are connected to the Sanitary Sewer System, whether occupied or vacant, the applicable charge shall be billed to such user. The effective date of disconnection of a user from the System shall be the day such disconnection is approved by the County's Sanitary Engineer.

An exception to the above paragraph shall be made provided that the premises are also connected to the Portage County Water System and are billed as a Portage County Water Resources retail customer. In such cases, the sewer charge will not be applied if a permit to turn the water off has been purchased and the water for the same premises is shut off. Such services shall remain off until a permit to turn the water on is purchased and water service is restored.

## SECTION 9. CHARGES AND CERTIFICATION

A. Non-Payment Of Charges: The amount of any charges, as set forth in Section 3 and Section 4 of this Resolution, which are not received by the due date shall be certified, together with any applicable penalty to the Portage County Auditor, who shall place them upon the real property tax list and duplicate against the property served. Such charges shall be a lien on such property from the date the same are placed upon the real property tax list and duplicate by the County Auditor and shall be collected in the same manner as other taxes. The County also shall have the right in the event of non-payment to collect those delinquent charges, together with any applicable penalty, in a civil action or to discontinue sewer service to the non-paying user's premises or any other premises of that user served by a connection to the System.

B. Final Certification List: The Sanitary Engineer is hereby directed to prepare a final yearly list of delinquent sewer service charges in September of each year which this Board will certify to the Portage County Auditor for collection with real estate taxes.

## SECTION 10. SANITARY SEWERAGE SYSTEM REVENUE FUND

All funds received by the County from the collection of the charges herein provided for shall be deposited as received with the County Treasurer who shall keep the same in a separate and district fund to the credit of the

District, and any monies in that fund shall be used first for the payment of the cost of management, replacement, maintenance and operation of the System and thereafter shall be used for the payment of principal of or interest on any debt incurred to pay costs of replacements and improvements to the System.

#### SECTION 11. LEASED PREMISES

The lessor and lessee of any premises, which are served by a connection to the System, shall be jointly and severally liable for payment of the charges billed with respect to the leased premises, together with any penalty relating to the delinquent payment thereof. The County shall have the right to collect those charges and any penalty from either the lessor or the lessee or both of them.

#### SECTION 12. WATER METERS REQUIRED FOR NON-RESIDENTIAL USERS; FLOW METERS

The County Sanitary Engineer shall require upon adoption of this resolution, that each future non-residential user of the System install, at the user's cost, a water meter on its premises to measure its water consumption.

If a current non residential customer (not a trailer park), does not have installed a proper meter at the time of adoption of this resolution, then that user will be assigned a number of service units (minimum of one) as specified in Section 2 of the resolution and charged for the service units plus 50%, after a reasonable (as determined by the Sanitary Engineer) time is given to install a meter. This additional 50% charge will continue to be charged until the user installs a proper meter. A trailer park without a meter will be billed in accordance with Section 2 of this resolution without an additional 50% charge.

Should a customer remove (without approval of the Sanitary Engineer), tamper with or fail to provide reasonable access to the metering system, the bill will be calculated using previous meter readings plus 50% or section 2 whichever is greater.

In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards, that a portion of the water consumption measured by a water meter installed on a non-residential user's premises does not enter or is not capable of entering the System, then such user may install, at his expense, a separate discharge flow meter measuring to the satisfaction of the Sanitary Engineer applying accepted engineering standards, the volume of wastewater discharged from the user's premises into the System. In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards that the volume of wastewater discharged from a non-residential user's premises into the System exceeds the volume of water consumed by that user as measured by the water meter installed on the user's premises, the Sanitary Engineer may require that user to install, at the user's cost and expense, a separate discharge flow meter to measure the volume of wastewater discharged from that user's premises into the System. Notwithstanding any provision to the contrary contained in this Resolution, in the event a separate discharge flow meter is installed by a user as herein provided, the user charge to be billed to that user shall be determined on the basis of the volume of wastewater discharged to the user's premises into

the System, rather than on the basis of the volume of water consumed as measured by the water meter installed on the user's premises.

### SECTION 13. MULTIPLE BUILDINGS - ONE OWNER

Properties that have more than one building that are connected to the sanitary sewer system, exist on the same parcel and have the same county parcel identification number, are metered through one common meter, and have at least one building connected to the county sewer system that is recognized as a commercial building may be combined and billed as one metered account. Such change in property billing shall not take place until such information is verified and a written request for such change in service is received at the office of the Water Resources Department.

The Portage Airport Condominium Association (PACA) located at the Portage County Regional Airport is permitted to install one common water meter per hanger building owned by PACA to calculate the billing.

This change is subject to periodic review to determine that no change in property status has occurred. If a representative of the Water Resources Department is denied access to verify account status then billing shall be as per Section 12 of this Resolution or current rate resolution.

### SECTION 14. INSPECTION AND METER READINGS ON PRIVATE PROPERTY

The County Sanitary Engineer is hereby authorized and directed to designate personnel within the County's Water Resources Department who shall have the right to enter upon private property to take water meter readings and flow meter readings and composite samples from meters and samples installed thereon. In the event a user of the System refuses to permit authorized County personnel to enter and take such readings and samples, those authorized personnel shall request the assistance of County Sheriff's Department and shall make the inspection accompanied by an officer of the Sheriff's Department. The County Sheriff is hereby required to provide such assistance. After a user's refusal to permit entry of authorized County personnel to take such readings and samples, the County Sanitary Engineer may elect to bill the user a charge as determined and also may terminate the user's sewer service.

### SECTION 15. DUTIES OF COUNTY SANITARY ENGINEER

The County Sanitary Engineer is hereby charged with the responsibility for administering and enforcing this Resolution, classifying users of the System and determining changes that occur in premises or the use thereof which result in changes of user classification or applicable rate. The Sanitary Engineer is hereby authorized to review the operation, maintenance and replacement costs of the System each year for the preceding year and to prepare and review an expense projection for the coming year. This projection shall be prepared in accordance with and based upon generally accepted accounting principles consistently applied and upon an analysis of the

operation, maintenance and replacement costs of the System and the covenants of any resolutions, trust indentures or trust agreements pertaining to the System.

SECTION 16. SEVERABILITY

This Resolution is severable and the invalidity of any section, phrase or provision thereof shall not affect the validity of any other section, phrase or provision.

SECTION 17. REPEAL OF PRIOR RATE RESOLUTION

Any resolution or resolutions heretofore adopted by this Board fixing or revising rates to be charged for the use of the Systems herein specified, including without limitation, Resolution 10-1164 adopted December 21, 2010, by this Board, are hereby repealed as of the effective date of this Resolution; provided, however, that such repeal shall not apply to any resolutions or agreements constituting or providing for a contract for the operation by the County of certain sewage treatment or disposal facilities in the District or the determination of the amount to be paid to the County for the operation thereof; and such repeal shall not affect any rights, obligations or liabilities which may have accrued while in any such resolutions were in effect; nor will such repeal affect any administrative or judicial proceeding with respect to any such resolutions, nor shall such repeal effect rates established for premises connected to and served by treatment plants other than those herein specified, it being the intent of this Board that such repeal shall operate only in a prospective manner and with respect to rights, obligations or liabilities which thereafter may accrue.

SECTION 18. EFFECTIVE DATE

This Resolution shall take effect and be in full force as of the date of approval by this Board of Commissioners.

SECTION 19. OPEN MEETING

It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles



SECTION 2. WATER REVENUE FUND

The funds received from the collection of the rates hereinafter provided shall be deposited as received with the County Treasurer who shall keep the same in a separate and distinct fund to the credit of the Portage County Regional Sewer District Water Revenue Fund 5400. That subject to the provisions of any indenture authorizing the issuance of County Water Revenue Bonds for the purpose of improving the water system of the "District", monies in said fund shall be used first for the payment of the cost of the management, maintenance and operation of Water Service Facilities for the use of which such charges are made and second for the payment of interest or principal of any debt incurred for the construction of such improvements, all in accordance with the provision of Section 6103.02 of the Ohio Revised Code. Any surplus thereafter remaining in such funds may be used for the extension or replacement of such Water Service Facilities or other enlargements, replacements or extensions of the water system of the "District".

SECTION 3. QUARTERLY WATER SERVICE CHARGE

For the purpose provided in Section 2 hereof, there is hereby fixed and charged to each person, firm or corporation whose premises are served by a water rate to be computed, billed and collected in accordance with the following schedule:

3-A. For the Brimfield Water Service Area excluding the Ohio American Water Company and the Rootstown Water Service Company, and for the Shalersville Water Service Area excluding the Ohio American Water Company and the Cities of Streetsboro and Aurora, and for the Pines Water Service Area:

BILLING PERIOD	0-1500 Cubic Feet Minimum bill	NEXT 3500 Cubic Feet Per Thousand	OVER 5000 Cubic Feet Per Thousand
12/01/10- 11/30/11	\$66.63	\$40.91	\$38.92
12/01/11- 11/30/12	\$66.63	\$40.91	\$38.92

The water rates are hereby fixed thru November 30, 2012 and shall be billed by the County Sanitary Engineer at the end of each quarterly billing period. All such water rates shall be due and payable within 21 days of being mailed, except those rates applicable to properties owned or leased by political subdivisions, which shall be allowed 30 days for payment at the net rate. A penalty in the amount of 10 percent of the current bill shall be added if not received by the due date. This penalty may be waived at the discretion of the Sanitary Engineer.

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

3-B. For the Pines Water Service Area (Non-Metered Customers) the minimum quarterly flat rate for non-metered customers shall be billed and collected in accordance with the following schedule:

BILLING PERIOD	AMOUNT PER UNIT
12/01/10 - 11/30/11	\$88.93
12/01/11 - 11/30/12	\$88.93

The water rates are hereby fixed thru November 30, 2012 and shall be billed by the County Sanitary Engineer at the end of each quarterly billing period. All such water rates shall be due and payable within 21 days of being mailed, except those rates applicable to properties owned or leased by political subdivisions, which shall be allowed 30 days for payment at the net rate. A penalty in the amount of 10 percent of the current bill shall be added if not received by the due date.

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

Note: should a meter be installed at a unit now located within the Pines Service area the rate of billing shall be the same as charged in the Shalersville Water Service Area.

3C. For the Rivermoor Water Service Area, and for the Infirmary Road Water Service Area.

BILLING PERIOD	0-1500 Cubic Feet Minimum Bill	NEXT 3500 Cubic Feet Per Thousand	OVER 5000 Cubic Feet Per Thousand
01/01/11 - 12/31/11	\$66.63	\$40.91	\$38.92
01/01/12 - 12/31/12	\$66.63	\$40.91	\$38.92

The water rates are hereby fixed thru December 31, 2012 and shall be billed by the County Sanitary Engineer at the end of each quarterly billing period. All such water rates shall be due and payable within 21 days of being mailed, except those rates applicable to properties owned or leased by political subdivisions, which shall be allowed 30 days for payment at the net rate. A penalty in the amount of 10 percent of the current bill shall be added if not received by the due date.

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 4. CHARGES AND CERTIFICATION

A. Non-Payment Of Charges. The amount of any charges, as set forth in Section 3 of this Resolution, which are not received by the due date may be certified, together with any applicable penalty to the Portage County Auditor, who shall place them upon the real property tax list and duplicate against the property served. Such charges shall be a lien on such property from the date the same are placed upon the real property tax list and duplicate by the County Auditor and shall be collected in the same manner as property taxes. The County also shall have the right in the event of non-payment to collect those delinquent charges, together with any applicable penalty, in a civil action or to discontinue water service to the non-paying user's premises or any other premises of that user served by a connection to the System.

B. Final Certification List.

The Sanitary Engineer is hereby directed to prepare a final yearly list of delinquent water service charges in September of each year, which this Board will certify, to the Portage County Auditor for collection with real estate taxes.

SECTION 5. SHUT OFF OF DELINQUENT ACCOUNT

In addition to any other remedy available to the County for collection of delinquent water charges, the County Sanitary Engineer is hereby authorized to disconnect any premises with respect to which any water charges have not been paid within a period of 30 days after such charges are due and payable.

SECTION 6. BULK USER RATES

For the purpose provided in Section 2 hereof, there is hereby fixed and charged to the Ohio American Water Company, the Rootstown Water Service Company, and the City of Streetsboro, which now purchases water in bulk, a monthly water rate to be computed, billed and collected as follows:

DATE EFFECTIVE	PER 1,000 CUBIC FEET
January 1, 2011	\$23.61
January 1, 2012	\$23.61

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 7. AURORA USER RATES (PER AGREEMENT)

For the purpose provided in Section 2 hereof, there is hereby fixed and charged to the City of Aurora, which now purchased water through a twenty year agreement with the County, a monthly water rate to be computed, billed and collected as follows:

DATE EFFECTIVE PER 1,000 CUBIC FEET	
January 1, 2011	\$23.61
January 1, 2012	\$23.61

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 8. WATER BILLING DATE

Billing will begin when the water is turned on at the curb box by an employee of the Water Resources Department.

SECTION 9. WATER TAMPERING & NON-ACCESS PENALTY

In the event that the water is turned on by anyone other than an employee of the Portage County Water Resources Department billing shall start on the date the service line was installed and the water bill will be prepared using the Water Resources Equivalent Building Usage Table plus 50%.

Should a water customer, without permission of the Sanitary Engineer, remove, tamper with, or fail to provide reasonable access to the metering system, the bill will be calculated using previous meter readings plus 50% or the Water Resources Department Equivalent Building Usage Table plus 50% whichever is greater.

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE PER	TRUNK NOTES	PLANT UNITS*	UNITS
Apartments:			
1 Bedroom		0.6250	0.6250 Apartment
2 Bedroom		0.7500	0.7500 Apartment
3 Bedroom		0.8750	0.8750 Apartment
4 Bedroom		1.0000	1.0000 Apartment

Assembly Halls/Banquet Halls		0.0375	0.0375	Employee
(Without kitchen facilities)		0.0075	0.0075	Seat
(With kitchen facilities)	A	0.0175	0.0175	Seat
Barber Shop		0.2000	0.2000	Barber Chair
Beauty Parlor		0.5000	0.5000	Basin
Bowling Alleys		0.1875	0.1875	Lane
Car Wash	B	0.7250	0.7250	Hand Bay
		2.1500	2.1500	Auto Bay
Campground or recreational park				
Primitive w/o showers		0.075	0.075	Site
Primitive w/showers		0.150	0.150	Site
Site with w/o water hookup		0.150	0.150	Site
Site with water hookup		0.225	0.225	Site
Churches (Small) Less than 200 sanctuary seats				
(Without kitchen)		0.0075	0.0075	Sanctuary Seat
(With kitchen) A		0.0125	0.0125	Sanctuary Seat
Churches (Large) More than 200 sanctuary seats				
(Without kitchen)		0.0125	0.0125	Sanctuary Seat
(With Kitchen)A		0.0175	0.0175	Sanctuary Seat
Coffee Shop		0.0375	0.0375	Employee
		0.0125	0.0125	Seat
Condominiums		1.0000	1.0000	Each
Convenience Store (with gas sales)		0.0375	0.0375	Employee
		0.0125	0.0125	Parking Space
		1.2500	1.2500	Pump Island
Country Clubs		0.1250	0.1250	Member
Dance Halls				
(without kitchen facilities)		0.0075	0.0075	Patron
(with kitchen facilities)		0.0175	0.0175	Patron
Daycare Facility		0.0875	0.0875	Employee
		0.0250	0.0250	Student
Dentist Office		0.0875	0.0875	Employee
		0.0250	0.0250	Patient
		0.1875	0.1875	Dentist
Doctor Office		0.0875	0.0875	Employee

		0.0250	0.0250	Patient
Drive Inn Theater		0.0250	0.0250	Car Space
Factories:				
No Showers		0.0625	0.0625	Employee
W/Showers		0.0875	0.0875	Employee
Food Service Operations:				
Ordinary Restaurant (not 24 hr)A		0.0875	0.0875	Seat
Ordinary Restaurant (24 hour) A		0.1500	0.1500	Seat
Fast Food (not 24 hour) A		0.0625	0.0625	Seat
Fast Food (24 Hour) A		0.0875	0.0875	Seat
Curb Service A		0.0620	0.0625	Parking space
Hospitals-No Resident Personnel	A	0.8750	0.8750	Employee
	A	0.7500	0.7500	Bed
		0.0875	0.0875	Employee
House (residential)		1.0000	1.0000	House
Institutions-Resident	A	0.2500	0.2500	Bed
Laundries-Coin Operated		1.00	1.00	Machine
<u>Laundry Wastes Require Special Consideration--Consult District Sanitary Engineer</u>				
Motels or Hotel	A	0.25	0.25	Room
Nursing & Rest Homes	A	0.25	0.25	Resident Employee
		0.125	0.125	Non-Resd. Employee
		0.50	0.50	Bed
Office Building		0.0500	0.050	Employee
Retail Store		0.0375	0.0375	Employee
		0.030	0.030	Parking space
Schools:		0.0375	0.0375	Employee
Elementary (A if cafeteria)		0.0375	0.0375	Pupil
Junior & Senior High (A if cafeteria)		0.0500	0.0500	Pupil
Service Stations:	B	1.25	1.25	Bay
		1.25	1.25	Island
Shopping Center		0.0375	0.0375	Employee
Without food service		0.005	0.005	Parking Space
With food service	A	0.0125	0.0125	Parking Space
Swimming Pools				
Without hot showers		0.0125	0.0125	Swimmer

With hot showers	0.0250	0.0270	Swimmer
Theater	0.0125	0.0125	Seat
Trailer Parks:			
Single Wide Trailer	0.7500	0.7500	Single Wide Trailer
Double Wide Trailer	0.7500	0.7500	Double Wide Trailer
Travel Trailer Parks & Camp	0.3125	0.3125	Trailer or Space
Travel Trailer Dump Station (Holding Tank to be pumped out & hauled away)			
Vacation Cottages			
Without Kitchen	0.1250	0.1250	Person
With Kitchen	0.1875	0.1875	Person
Veterinarian Office & Animal Hospital (Outside trash trap may be required if over 10 kennels)			
	0.050	0.050	Kennel/Cage/Run
	0.0375	0.0375	Employee
Youth & Recreation Camps	0.0375	0.0375	Employee
	0.125	0.125	Employee overnight
	0.125	0.125	Camper overnight
	0.0375	0.0375	Camper (food service.)
	0.0250	0.0250	Camper (no food service)

NOTES: A. Approved outside grease trap required.

B. Approved outside oil interceptor required.

\* One unit equals the trunk and plant capacity requirements of a single family residence which is estimated at 400 gallons per day of wastewater.

A minimum of one unit shall be utilized for billing charges.

Trailer parks shall be billed in accordance with the equivalency chart above unless a flow meter approved by the Portage County Water Resources Department has been installed and is operational. Such metered parks will be billed at the existing commercial rate. Under no circumstances will a park or individual trailer owner be billed less than one unit.

In the case of any uses not described above, the Sanitary Engineer is authorized to establish the applicable service unit for such premises using generally accepted engineering principles and criteria until further legislative determination by this Board or until the installation of a water meter.

The Sanitary Engineer/Water Resources Director reserves the right to set and/or change standards pertaining to the installation of water service lines and meters.

#### SECTION 10. HYDRANT WATER USE & PENALTY

Customers that purchase water from a county owned water hydrant shall be billed at the rate provided in section 3 above. All such water rates shall be due and payable within 21 days of being mailed. A penalty in the amount of 10 percent of the current bill shall be added if not received by the due date.

In addition to the amounts calculated in accordance with the above paragraph, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

#### SECTION 11. DISCOUNT PROGRAM

The Portage County Discount Program ("Discount Program") will apply only to qualified residential customers. A discount of 10% will be deducted from the total water charge for qualified residential customers.

A "qualified residential customer" shall be defined as an individual who receives water from Portage County Water Resources Department, is currently receiving the Homestead Tax Exemption as contained in Section 323.151 of the Ohio Revised Code for the property which the deduction is requested, and is responsible for the payment of the water utility bill.

#### SECTION 12. REPEAL OF PRIOR RATE RESOLUTIONS

Any resolution or resolutions heretofore adopted by this Board fixing or revising rates to be charged for the use of the Systems herein specified, including without limitation, Resolution No. 10-1165 adopted December 21, 2010, by this Board is hereby repealed as of the effective date of this Resolution; provided, however, that such repeal shall not affect any rights or obligations of the County or any property owner or other person which accrued prior to such repeal.

#### SECTION 13. EFFECTIVE DATE

This Resolution shall take effect and be in full force on the day of passage by this board.

#### SECTION 14. OPEN MEETING

It is hereby found and determined that all formal actions of this Board concerning and

relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1029 - RE: FIXING CHARGES FOR THE USE OF THE SANITARY SEWERAGE SYSTEM IN THE STREETSBORO SANITARY SEWER DISTRICT NO. 4, FUND 5600, PURSUANT TO CHAPTER 6117, OHIO REVISED CODE AND REPEALING RESOLUTION 10-1166 ADOPTED DECEMBER 21, 2010.**

**WHEREAS,** this Board, in order to preserve and promote the public health and welfare, pursuant to Resolution No. 67-17, adopted February 2, 1967, established the Streetsboro Sanitary Sewer District No. 4, hereinafter referred to as the Regional Sewer "DISTRICT"; and

**WHEREAS,** this Board is authorized by the pertinent provision of Chapter 6117, Ohio Revised Code, to fix reasonable rates to be charged for the use of the sewers or sewage treatment disposal works referred to in such Chapter, by every person, firm or corporation whose premises are served by a connection to such sewers or sewage treatment or disposal works when such sewers or sewage treatment or disposal works are owned or operated by the County and may change such rates as it deems advisable; and

**WHEREAS,** the sanitary sewer system serving the District consists of sewers and sewage treatment and disposal works as referred to in such Chapter 6117; and

**WHEREAS,** to distribute equitably the cost of providing sewage system collection, conveyance, treatment and disposal facilities among the present and future users of the System, this Board has determined to establish rates to be charged which, in its judgment are reasonable and proper having due regard to all relevant circumstances and conditions, as hereinafter set forth;

**RESOLVED,** by the Board of County Commissioners of Portage County, Ohio, that:

SECTION 1. SEWER SERVICE CHARGE

Sewer service charge means the total charge which is assessed users of the sewage system, and includes user charges and a fixed charge subject to change at any time and from time to time by resolution of this board, each person, firm or corporation whose premises are served by a connection to the System shall be charged a quarterly sewer service charge determined from time to time as hereinafter set forth.

SECTION 2. DETERMINATION OF SERVICE UNITS FOR NON-METERED USERS

For the purpose of calculating the charges herein provided for and having given due consideration to the volumes, strength and other characteristics of the sewage emanating from the premises served by the System, it is hereby determined that the following uses of such premises shall be assigned the following Service Units for non-metered users:

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE	TRUNK	PLANT	
PER	NOTES	UNITS*	UNITS
Apartments:			
1 Bedroom		0.6250	0.6250 Apartment
2 Bedroom		0.7500	0.7500 Apartment
3 Bedroom		0.8750	0.8750 Apartment
4 Bedroom		1.0000	1.0000 Apartment
Assembly Halls/Banquet Halls		0.0375	0.0375 Employee
(Without kitchen facilities)		0.0075	0.0075 Seat
(With kitchen facilities)	A	0.0175	0.0175 Seat
Barber Shop		0.2000	0.2000 Barber Chair
Beauty Parlor		0.5000	0.5000 Basin
Bowling Alleys		0.1875	0.1875 Lane
Car Wash	B	0.7250	0.7250 Hand Bay
		2.1500	2.1500 Auto Bay
Campground or recreational park			
Primitive w/o showers		0.075	0.075 Site
Primitive w/showers		0.150	0.150 Site
Site with w/o water hookup		0.150	0.150 Site
Site with water hookup		0.225	0.225 Site
Churches (Small) Less than 200 sanctuary seats			

(Without kitchen)	0.0075	0.0075	Sanctuary Seat
(With kitchen) A	0.0125	0.0125	Sanctuary Seat
Churches (Large) More than 200 sanctuary seats			
(Without kitchen)	0.0125	0.0125	Sanctuary Seat
(With Kitchen)A	0.0175	0.0175	Sanctuary Seat
Coffee Shop	0.0375	0.0375	Employee
	0.0125	0.0125	Seat
Condominiums	1.0000	1.0000	Each
Convenience Store (with gas sales)	0.0375	0.0375	Employee
	0.0125	0.0125	Parking Space
	1.2500	1.2500	Pump Island
Country Clubs	0.1250	0.1250	Member
Dance Halls			
(without kitchen facilities)	0.0075	0.0075	Patron
(with kitchen facilities)	0.0175	0.0175	Patron
Daycare Facility	0.0875	0.0875	Employee
	0.0250	0.0250	Student
Dentist Office	0.0875	0.0875	Employee
	0.0250	0.0250	Patient
	0.1875	0.1875	Dentist
Doctor Office	0.0875	0.0875	Employee
	.0250	0.0250	Patient
Drive Inn Theater	0.0250	0.0250	Car Space
Factories:			
No Showers	0.0625	0.0625	Employee
W>Showers	0.0875	0.0875	Employee
Food Service Operations:			
Ordinary Restaurant (not 24 hr)A	0.0875	0.0875	Seat
Ordinary Restaurant (24 hour) A	0.1500	0.1500	Seat
Fast Food (not 24 hour) A	0.0625	0.0625	Seat
Fast Food (24 Hour) A	0.0875	0.0875	Seat
Curb Service A	0.0620	0.0625	Parking space
Hospitals-No Resident Personnel A	0.8750	0.8750	Employee
	A	0.7500	Bed
	0.0875	0.0875	Employee
House (single family residential)	1.0000	1.0000	House

Institutions-Resident	A	0.2500	0.2500	Bed
Laundries-Coin Operated		1.00	1.00	Machine
<u>Laundry Wastes Require Special Consideration--Consult District Sanitary Engineer</u>				
Motels or Hotel	A	0.25	0.25	Room
Nursing & Rest Homes	A	0.25	0.25	Resident Employee
		0.125	0.125	Non-Resd. Employee
		0.50	0.50	Bed
Office Building		0.0500	0.050	Employee
Retail Store		0.0375	0.0375	Employee
		0.030	0.030	Parking space
Schools:		0.0375	0.0375	Employee
Elementary	(A if cafeteria)	0.0375	0.0375	Pupil
Junior & Senior High	(A if cafeteria)	0.0500	0.0500	Pupil
Service Stations:	B	1.25	1.25	Bay
		1.25	1.25	Island
Shopping Center		0.0375	0.0375	Employee
Without food service		0.005	0.005	Parking Space
With food service	A	0.0125	0.0125	Parking Space
Swimming Pools				
Without hot showers		0.0125	.0125	Swimmer
With hot showers		0.0250	0.0270	Swimmer
Theater		0.0125	0.0125	Seat
Trailer Parks:				
Single Wide Trailer		0.7500	0.7500	Single Wide Trailer
Double Wide Trailer		0.7500	0.7500	Double Wide Trailer
Travel Trailer Parks & Camp		0.3125	0.3125	Trailer or Space
Travel Trailer Dump Station (Holding Tank to be pumped out & hauled away)				
Vacation Cottages				
Without Kitchen		0.1250	0.1250	Person
With Kitchen		0.1875	0.1875	Person
Veterinarian Office & Animal Hospital (Outside trash trap may be required if over 10 kennels)		0.050	0.050	Kennel/Cage/Run
		0.0375	0.0375	Employee
Youth & Recreation Camps		0.0375	0.0375	Employee
		0.125	0.125	Employee overnight

0.125	0.125	Camper overnight
0.0375	0.0375	Camper (food service)
0.0250	0.0250	Camper (no food service)

- NOTES:
- A. Approved outside grease trap required.
  - B. Approved outside oil interceptor required.

\* One unit equals the trunk and plant capacity requirements of a single family residence which is estimated at 400 gallons per day of wastewater.

A minimum of one unit shall be utilized for billing charges.

Trailer parks shall be billed in accordance with the equivalency chart above unless a flow meter approved by the Portage County Water Resources Department has been installed and is operational. Such metered parks will be billed at the existing commercial rate. Under no circumstances will a park or individual trailer owner be billed less than one unit.

In the case of any uses not described above, the Sanitary Engineer is authorized to establish the applicable service unit for such premises using generally accepted engineering principles and criteria until further legislative determination by this Board or until the installation of a water meter.

SECTION 3. QUARTERLY CHARGES:

STREETSBORO SERVICE AREA (ST-4) - INCLUDING SUMMIT COUNTY CONNECTIONS FROM THE CITY OF HUDSON

That for the purposes provided in Section 8 hereof, there is hereby fixed and charged to each person, firm or corporation whose premises have a connection with the Streetsboro Waste Water Treatment Plant or otherwise discharge sewage, industrial wastes, water or other liquids, either directly or indirectly into such sewer facility, sewer rates for each service unit, payable and hereinafter provided, in the respective amounts as follows:

1. Quarterly Sewer Service Charge

The quarterly Sewer Service Charge for single family residential users shall be:

2/01/2011 TO 01/31/2012	\$ 97.13
2/01/2012 TO 01/31/2013	\$ 97.13

During such period, for premises with metered water consumption, in the case of a Commercial Food Service User, the quarterly Sewer Service Charge shall be:

PER 1,000 CU FT	MINIMUM BILL	
2/01/2011 TO 01/31/2012	\$ 35.70	\$ 97.13
2/01/2012 TO 01/31/2013	\$ 35.70	\$ 97.13

In the case of all other non-residential premises the quarterly Sewer Service Charge shall be:

PER 1,000 CU FT	MINIMUM BILL	
2/01/2011 TO 01/31/2012 \$ 30.98    \$ 97.13		
2/01/2012 TO 01/31/2013	\$ 30.98	\$ 97.13

In the case of the Shalersville Brine Line the quarterly sewer service charge shall be:

PER 1,000 CU FT	MINIMUM BILL	
2/01/2011 TO 01/31/2012 \$ 18.59    \$ 97.13		
2/01/2012 TO 01/31/2013	\$ 18.59	\$ 97.13

In addition to the amounts calculated in accordance with the preceding paragraph, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

2. Surcharge

Users that discharge extra strength waste into the sanitary sewer system or exceed original permit design flow to the system shall be surcharged for such flow. The surcharge rate shall be determined by the Sanitary Engineer using the Rules and Regulations governing Portage County and the Streetsboro Sewer District No. 4 and the current user rate and tap-in fee resolutions. The surcharge shall be in conjunction with the Quarterly Sewer Service Charge per Section 3 Sub Paragraph A of this resolution.

3. Quarterly Billing And Payment Of Charges Penalty

The Water Resources Department shall bill the charges herein provided for at the end of each quarter. The amount billed shall be due and payable within 21 days of being mailed; except those rates applicable to properties owned or leased by political subdivisions, of the State Of Ohio shall be due and payable without

penalty no later than the 30th day following the billing date. A penalty equal to 10 percent of the unpaid current billing that has not been received by the close of business on the last day such bill is due and payable without penalty shall be added to the unpaid amount of that bill. The “due date” (the date by which payment may be received without penalty) will be shown on the bill. This penalty may be waived at the discretion of the Sanitary Engineer.

#### SECTION 4. DISCOUNT PROGRAM

The Portage County Discount Program (“Discount Program”) will apply to qualified residential customers. A discount of 10% will be deducted from the sewer charge for qualified residential customers.

A “qualified residential customer” shall be defined as an individual who receives sanitary sewer service from Portage County Water Resources Department, is currently receiving the Homestead Tax Exemption as contained in Section 323.151 of the Ohio Revised Code for the property which the deduction is requested, and is responsible for the payment of the sanitary sewer utility bill.

#### SECTION 5. EFFECTIVE DATE OF NEW CONNECTION

The effective date of connection to the sanitary sewer system for new building construction shall be the first day of the first month after 90 days has elapsed from the date of lateral installation or the date of occupancy, whichever comes first. If the connection is to an existing building, modular unit, prefab unit or trailer unit the billing shall begin the day of such connection as verified by the County's Sanitary Engineer. Billing shall be prorated from the effective date of connection.

#### SECTION 6. CONTINUING CHARGE IN THE ABSENCE OF DISCONNECTION

So long as the premises of a person, firm or corporation are connected to the Sanitary Sewer System, whether occupied or vacant, the applicable charge shall be billed to such user. The effective date of disconnection of a user from the System shall be the day such disconnection is approved by the County's Sanitary Engineer.

#### SECTION 7. CHARGES AND CERTIFICATION

1. Non-Payment Of Charges: The amount of any charges as set forth in Section 3, Sub-Paragraphs 1, 2 & 3 of this Resolution, which are not received by the due date, shall be certified, together with any applicable penalty to the Portage County Auditor, who shall place them upon the real property tax list and duplicate against the property served. Such charges shall be a lien on such property from the date the same are placed upon the real property tax list and duplicate by the County Auditor and shall be collected in the same manner as other taxes. The County also shall have the right in the event of non-payment to collect those delinquent charges, together with any applicable penalty, in a civil action or to discontinue sewer service to the non-paying user's premises or any other premises of that user served by a connection to the System.

2. Final Certification List: The Sanitary Engineer is hereby directed to prepare a final yearly list of delinquent sewer service charges in September of each year which this Board will certify to the Portage County Auditor for collection with real estate taxes.

#### SECTION 8. SANITARY SEWERAGE SYSTEM REVENUE FUND

All funds received by the County from the collection of the charges herein provided for shall be deposited as received with the County Treasurer who shall keep the same in a separate and district fund to the credit of the District, and any monies in that fund shall be used first for the payment of the cost of management, replacement, maintenance and operation of the System and thereafter shall be used for the payment of principal of or interest on any debt incurred to pay costs of replacements and improvements to the System, provided.

#### SECTION 9. LEASED PREMISES

The lessor and lessee of any premises which are served by a connection to the System shall be jointly and severally liable for payment of the charges billed with respect to the leased premises, together with any penalty relating to the delinquent payment thereof.

The County shall have the right to collect those charges and any penalty from either the lessor or the lessee or both of them.

#### SECTION 10. WATER METERS REQUIRED FOR NON-RESIDENTIAL USERS; FLOW METERS

The County Sanitary Engineer shall require upon adoption of this resolution, that each future non-residential user of the System install, at the user's cost, a water meter on its premises to measure its water consumption.

If a current non residential customer (not a trailer park), does not have installed a proper meter at the time of adoption of this resolution, then that user will be assigned a number of service units (minimum of one) as specified in Section 2 of the resolution and charged for the service units plus 50%, after a reasonable (as determined by the Sanitary Engineer) time is given to install a meter. This additional 50% charge will continue to be charged until the user installs a proper meter. A trailer park without a meter will be billed in accordance with Section 2 of this resolution without an additional 50% charge.

Should a customer remove, tamper with, or not provide reasonable access to the metering system without approval of the Sanitary Engineer, the bill will be calculated using previous meter readings plus 50% or section 2 whichever is greater.

In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards, that a portion of the water consumption

measured by a water meter installed on a non-residential user's premises does not enter or is not capable of entering the System, then such user may install, at his expense, a separate discharge flow meter measuring to the satisfaction of the Sanitary Engineer applying accepted engineering standards, the volume of wastewater discharged from the user's premises into the System. In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards that the volume of wastewater discharged from a non-residential user's premises into the System exceeds the volume of water consumed by that user as measured by the water meter installed on the user's premises, the Sanitary Engineer may require that user to install, at the user's cost and expense, a separate discharge flow meter to measure the volume of wastewater discharged from that user's premises into the System. Notwithstanding any provision to the contrary contained in this Resolution, in the event a separate discharge flow meter is installed by a user as herein provided, the user charge to be billed to that user shall be determined on the basis of the volume of wastewater discharged to the user's premises into the System, rather than on the basis of the volume of water consumed as measured by the water meter installed on the user's premises.

#### SECTION 11. MULTIPLE BUILDINGS - ONE OWNER

Properties that have more than one building that are connected to the sanitary sewer system, exist on the same parcel and have the same county parcel identification number, are metered through one common meter, and have at least one building connected to the county sewer system that is recognized as a commercial building may be combined and billed as one metered account. Such change in property billing shall not take place until such information is verified and a written request for such change in service is received at the office of the Water Resources Department.

This change is subject to periodic review to determine that no change in property status has occurred. If a representative of the Water Resources Department is denied access to verify account status then billing shall be as per Section 10 of this Resolution or current rate resolution.

#### SECTION 12. INSPECTION AND METER READINGS ON PRIVATE PROPERTY

The County Sanitary Engineer is hereby authorized and directed to designate personnel within the County's Water Resources Department who shall have the right to enter upon private property to take water meter readings and flow meter readings and composite samples from meters and samples installed thereon. In the event a user of the System refuses to permit authorized County personnel to enter and take such readings and samples, those authorized personnel shall request the assistance of County Sheriff's Department and shall make the inspection accompanied by an officer of the Sheriff's Department. The County Sheriff is hereby required to provide such assistance. After a user's refusal to permit entry of authorized County personnel to take such readings and samples, the County Sanitary Engineer may elect to bill the user a charge as determined and also may terminate the user's sewer service.

### SECTION 13. DUTIES OF COUNTY SANITARY ENGINEER

The County Sanitary Engineer is hereby charged with the responsibility for administering and enforcing this Resolution, classifying users of the System and determining changes that occur in premises or the use thereof which result in changes of user classification or applicable rate. The Sanitary Engineer is hereby authorized to review the operation, maintenance and replacement costs of the System each year for the preceding year and to prepare an expense projection for the coming year. This projection shall be prepared in accordance with and based upon generally accepted accounting principles consistently applied and upon an analysis for the operation, maintenance and replacement costs of the System and the covenants of any resolutions, trust indentures or trust agreements pertaining to the System.

### SECTION 14. SEVERABILITY

This Resolution is severable and the invalidity of any section, phrase or provision thereof shall not affect the validity of any other section, phrase or provision.

### SECTION 15. REPEAL OF PRIOR RATE RESOLUTION

Any resolution or resolutions heretofore adopted by this Board fixing or revising rates to be charged for the use of the Systems herein specified, including without limitation, Resolution 10-1166 December 21, 2010, by this Board, is hereby repealed as of the effective date of this Resolution; provided, however, that such repeal shall not apply to any resolutions or agreements constituting or providing for a contract for the operation by the County of certain sewage treatment or disposal facilities in the District or the determination of the amount to be paid to the County for the operation thereof; and such repeal shall not affect any rights, obligations or liabilities which may have accrued while in any such resolutions were in effect; nor will such repeal affect any administrative or judicial proceeding with respect to any such resolutions, nor shall such repeal effect rates established for premises connected to and served by treatment plants other than those herein specified, it being the intent of this Board that such repeal shall operate only in a prospective manner and with respect to rights, obligations or liabilities which thereafter may accrue.

### SECTION 16. EFFECTIVE DATE

This Resolution shall take effect and be in full force on the date of approval by the Board.

### SECTION 17. OPEN MEETING

It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of

any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

### **BOARD COMMENT**

Commissioner Marsilio made a motion and read the body of a draft resolution proposing a reorganization of the Commissioners' departments. She noted that the Board of Commissioners has talked about this reorganization for quite a while and she recommended that the Board move forward to permanently reduce staff by abolishing certain positions and empower the current staff to carry out certain job duties.

Commissioner Smeiles agreed that the Board of Commissioners has discussed the issue and asked if there is money attached to the resolution. Commissioner Marsilio responded that the positions being abolished or which have been laid off will provide funds for increases. This process will reduce the staff and get to the point of staff having good job descriptions with the pay associated. Furthermore, it would free up the Board of Commissioners, let staff perform their jobs and let the Board of Commissioners focus on policy decisions and issues. It is a waste of employee time to continue to operate as we are currently, the proposal allows the Board of Commissioners to work on important issues and not minutia.

Commissioner Frederick commented that Commissioner Marsilio has not quantified this. Commissioner Frederick characterized this as a \$30,000 increase for one employee when there are many people in Portage County with no job is not right. While she appreciates the work done by Commissioner Marsilio, it is incumbent upon the Board of Commissioners to best use the monies that the county has. This proposal will be at what cost? She is here every day and not averse to working every day to take the time do that. She is not willing to grandstand and give one person a \$30,000 increase when we are asking everyone else to cut as deserved as the employee may be. Commissioner Frederick continued and stated that Commissioner Marsilio also wants to change something in the Human Resources Department; she does not understand the basis of that change similarly to the Tax Map and GIS issue. She is not willing to vote for this proposal couched in any way. Commissioner Marsilio asked Commissioner Frederick if she will not vote for her motion or the rephrasing of her motion. Commissioner Frederick stated that she needs to know how much each individual is to receive and she is not willing to vote to raise salaries arbitrarily. Commissioner Marsilio responded that she was specific when she quantified the individual positions for this reorganization. Look at our staff numbers in comparison to what other elected officials spend. Commissioner Frederick replied that if the Board of Commissioners does this it will set the standard and she is worried that the other elected officials will come to the Board for increases for their employees, as well.

Commissioner Marsilio stated that this is not about a pay raise at this point but a restructure. Commissioner Frederick responded that Commissioner Marsilio appears to pick and choose who she wants to advance like in the Human Resources Department. Commissioner Marsilio responded that this motion is not about the

Human Resources Department but is about Commissioners' staff who reports directly to the Board of Commissioners. Commissioner Frederick remarked that she is not ready to vote yes today but would have preferred that Commissioner Marsilio had come to the Board with this motion before making it public. Commissioner Marsilio replied that this proposal is not new; this has not been sprung on Commissioner Frederick. Commissioner Frederick replied that she has not been in favor of giving a large increase to one staff person because of the unemployment rate. She added that she would like to go to the Leadership Team with this proposal to get their input. She supports the concept but not the specifics and dollar amounts today.

Commissioner Smeiles seconded the motion for discussion. He added that according to the August 29, 2011 minutes, this was Commissioner Frederick's idea. Commissioner Frederick agreed but her idea was to capitalize on what the Board has in place, maybe adding a county administrator. She wanted to look at the organization but also take into consideration the needs of all other departments not looking at this proposal in a vacuum. Right now, she will not vote to obligate dollars that the county does not have, even with the cost savings that come from the abolishing of positions. Commissioner Smeiles commented that there is no dollar amount attached to the resolution but this is about the day to day operation of the seventh floor. In the past he was against the proposed reorganization due to the proposed two-headed structure and the higher cost associated with the two joint administrators.

Commissioner Marsilio interrupted to say that nobody on the seventh floor is doing what is in their job description. Everyone is doing more and not complaining. She is not suggesting that anyone just do what they were hired to do. She is suggesting closing out the open positions and then paying staff for jobs that they are already doing.

Commissioner Smeiles continued stating that he was against the proposal for several reasons but, after discussion and then an agreement for a single administrator, the Board of Commissioners was in agreement several weeks ago. Commissioner Frederick changed her mind over the weekend. Commissioner Frederick stated that she has always said that she would like to compensate staff additionally but, given the unemployment rate and given the fact that the Board of Commissioners sets the norm, other elected officials will want to do the same thing. All other elected officials have asked for 3% increases for their people and she is not willing to say no to them and yes to our staff. Commissioner Smeiles wants to have a better flow to the Commissioners' Office.

Commissioner Frederick stated that she would like to talk to the Leadership Team for their comments without a preconceived agenda. Commissioner Marsilio replied that the Board has asked for input from some of the Directors. She would not want to ask the Board's subordinates for input beyond those that are involved in the restructure and have already been consulted. Commissioner Frederick replied that she would like to ask for input and suggestions to where the Board wants to go. Commissioner Marsilio replied that she is talking about the workflow on the seventh floor, issues that come to the Board of Commissioners from staff and how the Board responds. She wonders what the Dog Warden could do or comment on when it comes to this floor. Commissioner Frederick replied that the Dog Warden has expertise because he has increased his revenue; to not include the Leadership Team is wrong. Commissioner Marsilio reminded the Board that Commissioner Frederick and Commissioner Smeiles gave the Dog Warden a raise. She added that elevating salaries pretty

high also concerns her. A member of the public in the audience commented that he has not heard any money associated with the proposal.

Commissioner Smeiles pointed out that the Board of Commissioners has never previously discussed the Leadership Team having any input into this issue; Audrey Tillis, Deborah Mazanec and JoAnn Townend have provided input. Commissioner Frederick responded that the Board should go to the Team and ask them for input. She added that Judee Genetin has revolutionized the JFS very well; why would the Board of Commissioners not want to sit with Leadership and get their assistance. Two years ago, she suggested combining the Board's fiscal offices with the Solid Waste Management District and the Water Resources Department. When Commissioner Marsilio came, that occurred and is very successful. Commissioner Smeiles stated that this is a continuation of that idea and process. Commissioner Smeiles pointed out that Judee Genetin makes \$90,000 per year – you get what you pay for. Commissioner Frederick added that she does not want to move in a specific direction dollar amounts. A member of the public stated again that there are no dollar amounts in the proposal in front of the Board.

Commissioner Marsilio asked if the Board of Commissioners should create a key position to help run Portage County and pay that person \$50,000 per year? The answer is no; that makes no sense. She added that comparable counties are paying over \$100,000. The Board of Commissioners has never discussed paying this staff person \$100,000. Commissioner Frederick replied that the Board did discuss paying \$100,000 – Commissioner Marsilio disagreed.

Commissioner Frederick stated that she can support permanently eliminating some of the positions listed in the resolution. However, she thought that the State Auditor dictated and required that the Board have an Internal Auditor. Commissioner Smeiles responded that it was a recommendation only. The Sheriff has been contracted to provide Security, with the budget associated, but Commissioner Frederick wondered if the Director's position should be abolished. Are there any consequences? Commissioner Marsilio does not believe so since the Director was a direct report to the Board of Commissioners.

Commissioner Frederick stated that this is the first time she has seen this resolution. Commissioner Marsilio responded that the Board has talked about this for many weeks. After the last discussion and unanimous agreement, the Commissioners had agreed that Commissioner Marsilio should prepare the resolution for Board action. Commissioner Marsilio noted that the resolution includes a history of the thought process since it is important to note that this was not a spur of the moment motion.

A member of the public asked what the purpose of this proposal is. Commissioner Marsilio responded that the jobs listed to be abolished could be filled at any time. In addition, there are several vacancies in the organizational chart for key employees that affect the work flow. Remaining staff has taken over the responsibilities of the directors who have left without compensation or any job description changes. Commissioners' staff including the Clerk, Internal Services Director, and Commissioners' Deputy Clerk, and Commissioners' Administrative Assistant has taken on more and more duties. This is not giving a raise to a deserving employee but a rewrite of the job descriptions with the money to follow. The government is not here to be an employer but to do the job that government is to do; govern. He believes that it is good that the Board of Commissioners plans to downsize; updating job descriptions is a good thing. If a job is not needed, get rid of

it. He thinks that the Board is on the right track; he is not sure what the objection would be except for the high salary for one person. A staff person who has taken on additional duties should be compensated.

Commissioner Frederick agreed but does not want to set the salary for one person but the resolution does eliminate several positions. Other man – the Board of Commissioners can justify giving staff a raise with a definition of the job title and responsibilities.

Commissioner Smeiles noted that the elimination of the jobs listed in the resolution would save over \$1 million. Commissioner Frederick agreed but noted that most of that money is gone or will be gone. She does not want to obligate the county to pay X amount of dollars to X number of people. She is okay with eliminating positions but the resolution creates a Commissioners' Chief Administrator position and a part-time clerical person.

Commissioner Frederick is comfortable supporting the resolution but wants to discuss the final salary for the new position and the proposed increases for staff. Commissioner Marsilio replied that the Board of Commissioners is talking about creating a new position, an administrator job, and revising the Internal Services job description to include the tasks that she has taken over with the dollars should follow.

Commissioner Frederick stated that she has mentioned many times that JoAnn Townend should have been compensated additionally for the duties that she assumed in the past. Commissioner Smeiles responded that the Board had also talked about two heads rather than one and \$150,000 budget for the two of them. The Board agreed on one head but then Commissioner Frederick backed off that commitment. Commissioner Frederick does not want to commit to an amount money but is willing to streamline the offices. Her reservation is that the Board says to the other elected officials that they are doing this giving them the ability to do so as well.

A member of the public stated that the Board is simply defining jobs and giving a slight bump in pay. Commissioner Marsilio replied that there is more than a bump for the salary for the new position. Commissioner Frederick is concerned that the other elected officials will come back to the Board for money. The guests both suggested that the Board need only to justify and ask elected officials how many employees they have laid off? By eliminating those positions, we are talking about \$1 million. If an elected official wants to do the same thing, tell the other elected officials to cut \$1 million from their budget and the Board will fund a new position. Commissioner Frederick stated again that she does not want to obligate dollars at this time. The Sheriff's needs will consume the \$1 million that the Board saved by not filling vacant positions. The savings is wonderful but has been committed already.

Commissioner Smeiles stated that the Sheriff came to the Board of Commissioners and asked for more money for a Captain who has increased job duties; the Board did not say no. Then a judge wanted to increase the pay of a receptionist who is now a paralegal; the Board approved that request. JFS has also just gotten Board approval for increases based on additional and/or new job duties. Now, the Board of Commissioners wants to increase duties for staff along with a bump; we are just being consistent. Is Commissioner Frederick okay with now giving an increase to JoAnn Townend? She responded yes but noted that the Board had talked about increases for Director Townend but did not agree to do so.

Commissioner Marsilio stated that the Board of Commissioners can discuss the increases at a later time. Commissioner Frederick replied that she wants to wait for the budget discussions to be complete. She does want to look at the budget collectively to equip offices; she is also thinking of the Sheriff and keeping his budget solvent and possibly increased. She would not want to do something here that would penalize the Sheriff. The courts and the prosecutor also need to be able to try cases and get them through the system, which will cost money.

A member of the public suggested that the Board separate the two issues and consider them separately. Commissioner Marsilio replied that the Board has a process in place now; even though it is inefficient. Her concern is to abolish the job without assigning the duties to someone else. Commissioner Frederick suggested that the Board of Commissioners look at abolishing the jobs separately from the creation of new jobs in the proposed resolution.

Commissioner Smeiles and Commissioner Marsilio asked that the question be called on the motion made by Commissioner Marsilio. Commissioner Frederick replied that she would prefer to separate the two issues by eliminating the jobs detailed in the resolution now and then creating the other jobs at a later date. Commissioner Marsilio responded that she is not willing to do that since the duties must be performed.

Commissioner Smeiles stated that the people we are talking about have been taking care of the Board of Commissioners above and beyond the call of duty for years. He asked how much longer Commissioner Frederick wants to take advantage of that staff. Commissioner Frederick asked if the Board of Commissioners is willing to allow others to apply for the new job. Commissioner Smeiles replied that the Clerk does a lion's share of the Board of Commissioners' business. He simply wants to give her the authority to do what she already does. Commissioner Marsilio agreed that she would give the job to the Clerk and asked who else would have the institutional memory and work experience to handle the job. Commissioner Smeiles commented that the CCAO newsletter has two openings for a County Administrator advertised at \$130,000. Commissioner Frederick asked if the Board of Commissioners is agreeing to place the Clerk in this position or just saying that we will create the position of Commissioners' Chief Assistant.

Commissioner Smeiles asked if there is a date associated with the resolution; Commissioner Marsilio responded that she anticipates a January 1, 2012 start.

Commissioner Frederick called the question, abstaining, noting that other elected officials are out there who have a need for the money we are trying to divide up and it is prudent to abstain at this time. She is not willing to do this at this time.

**RESOLUTION NO. 11-1034                    -                    RE:    BOARD OF COMMISSIONERS' DEPARTMENTAL  
REORGANIZATION.**

It was moved by Commissioner Marsilio, seconded by Commissioner Smeiles that the following Resolution be adopted:

- WHEREAS,** the economy has taken a downturn and it is obvious that taxpayers expect government to perform better with less resources; and
- WHEREAS,** the annual budget for the Portage County general fund has decreased for four (4) consecutive years; and
- WHEREAS,** the Portage County Board of Commissioners has implemented lay-offs and/or not filled various management and fiscal positions amounting to more than \$300,000 in annual salaries since the county budgets began to decrease; and
- WHEREAS,** the business of the county represented by these vacant positions is still necessary to perform and has been absorbed by hard working employees, but not in a deliberate or methodical manner; and
- WHEREAS,** the Board of Commissioners has successfully consolidated the fiscal functions of the Solid Waste Management District and the Water Resources Department into the Department of Budget and Financial Management and this pilot has been a great success; and
- WHEREAS,** the annual budgets of Portage County exceed \$160 million, the general fund budget exceeds \$32 million and the leadership team and processes of this organization must operate efficiently, organized, and with clear lines of leadership and responsibility; and
- WHEREAS,** the current workflow to the Board of Commissioners is inefficient and results in substantial duplication of clerical work; and
- WHEREAS,** it is preferred that much of the Commissioners' leadership team be insulated from the political process through the protection of the classified service; and
- WHEREAS,** the Board of Commissioners wishes to lead by example in streamlining processes and personnel in the hope that other elected officials will follow; now therefore be it
- RESOLVED,** that the staff of the Portage County Board of Commissioners is hereby reduced/or already reduced as follows:
- A. The position of Director of Maintenance is permanently abolished;
  - B. The position of Director of General Services is permanently abolished;
  - C. The position of Internal Auditor is permanently abolished;
  - D. The position of Grants Administrator is permanently abolished;

- E. The position of Director of Security was abolished by Resolution No. 11-0545;
- F. The position of Department of Budget & Financial Management Budget/Financial Analyst was permanently abolished by Resolution No. 11-0447;
- G. The position of Water Resources Department Accounting Supervisor was permanently abolished by Resolution No. 11-0448;
- H. The three positions of Water Resources Department Accounting Specialist I were permanently abolished by Resolution No. 11-0575;
- I. The position of Microfilm/Records Director is permanently abolished and has previously been combined for the Print Shop and Microfilm.

; and be it further

**RESOLVED,** that the positions of Commissioners' Chief Administrator and part-time Clerical Specialist are hereby created; and be it further

**RESOLVED,** that the job descriptions are to be updated for the Director of Internal Services, Commissioners' Clerk, Commissioners' Administrative Assistant, and Internal Services' Administrative Assistant to streamline functions and maximize efficiency; and be it further

**RESOLVED,** that the Commissioners' Chief Administrator and Director of Internal Services shall be given authority to make routine, daily decisions on behalf of the Board, the scope of which will be established by annual Resolution and also established before the position is filled, which will allow the Board of Commissioners to dedicate substantially more time to policy issues and continuous improvements in Portage County; and be it further

**RESOLVED,** that the anticipated start date for this reorganization is January 12, 2012; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [2 TO 0]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Tommie Jo Marsilio, Christopher Smeiles
<b>ABSTAIN:</b>	Maureen T. Frederick



**MOVER:** Tommie Jo Marsilio, Vice President  
**SECONDER:** Christopher Smeiles, Board Member  
**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION No. 11-1007 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Department of Budget and Financial Management or other designee on November 22, 2011 in the total payment amount as follows:

1. \$210,836.10 for Medical Mutual Claims-Fund 7101; and
2. \$4,972.16 to Take Care by WageWorks, Inc. for processing claims for Medical Mutual; and

as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

**RESOLVED,** that the Board of Commissioners authorizes the wire transfer for the charges relating to health benefits, as presented by the Portage County Auditor's Office:

Wire Transfer on Friday, November 25, 2011	\$ 210,836.10
Wire Transfer on Friday, November 25, 2011	\$ 4,972.16

and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Tommie Jo Marsilio, Vice President  
**SECONDER:** Christopher Smeiles, Board Member  
**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1008 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

**WHEREAS,** the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

**WHEREAS,** there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

**WHEREAS,** the Journal Vouchers/Entries are recommended by the County Auditor's Office for review and approval by the Board of Commissioners; now therefore be it

**RESOLVED,** that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor's Office:

11/22/11	1213	\$ 9,372.90
11/22/11	1214	10,584.42
11/22/11	1041	242,449.75
11/22/11	1043	34,500.00
11/22/11	1046	37,000.00
11/22/11	1047	158,200.00
11/22/11	1011	8,449.85
11/18/11	1009	224,876.60
11/17/11	960	17,157.20
11/17/11	959	62,639.53
Total		\$ 805,230.25

and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Tommie Jo Marsilio, Vice President

**SECONDER:** Christopher Smeiles, Board Member

**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1009 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**



- refunding bond series 2006 PORTGEVPRF06; and
- 4) \$251,213.75 to Huntington National Bank for various purpose bond series 2007 PORTAGEVP07; and
- 5) \$564,262.51 to Huntington National Bank for various purpose improvement and refunding bond series 2010 PORTGEVPRF10; and

**RESOLVED,** that the Board of Commissioners authorizes the wire transfers for the payment of bond principal and interest costs as follows, as presented by the Portage County Auditor’s Office:

Wire Transfer on Wednesday, November 30, 2011	\$ 705,525.00
Wire Transfer on Wednesday, November 30, 2011	\$ 676,708.13
Wire Transfer on Wednesday, November 30, 2011	\$ 1,127,900.00
Wire Transfer on Wednesday, November 30, 2011	\$ 251,213.75
Wire Transfer on Wednesday, November 30, 2011	\$ 564,262.51

and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1011                    -                    RE:                    WIRE TRANSFER TO UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT**

**WHEREAS,** the invoice for the principal and interest payments related to the 1997 United States Department of Agriculture Rural Development bonds were approved and certified to the County Auditor for payment, contingent upon the review of the Department of Budget and Financial Management or other designee on November 22, 2011 in the amount of \$ 31,788.76 as set forth in the Invoice Entry Proof List on file in the office of the Portage County Auditor; and be it further

**RESOLVED,** that the Board of Commissioners authorizes the wire transfer to the United States

Department of Agriculture Rural Development for the principal and interest payments in 2011 for the 1997 bond issue as presented by the Portage County Auditor's Office as follows:

Loan 97-01     \$ 22,573.85  
Loan 97-03     \$ 9,214.91

For a total payment of \$ 31,788.76

Wire Transfer on Wednesday, November 30, 2011                     \$ 31,788.76

and be it further

**RESOLVED,**                     that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<p><b>RESULT:</b>     <b>ADOPTED [UNANIMOUS]</b> <b>MOVER:</b>     Tommie Jo Marsilio, Vice President <b>SECONDER:</b> Christopher Smeiles, Board Member <b>AYES:</b> Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles</p>
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**RESOLUTION NO. 11-1012                     -                     RE:     WIRE TRANSFER TO BERKADIA COMMERCIAL MORTGAGE, LLC APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT**

**WHEREAS,**                     the invoice from Berkadia Commercial Mortgage, LLC for the principal and interest payments related to the Sewer District Improvement Bonds, Series 1982 (Brady Lake Sewer Project) were approved and certified to the County Auditor for payment, contingent upon the review of the Department of Budget and Financial Management or other designee on November 22, 2011 in the amount of \$ 50,493.65 as set forth in the Invoice Entry Proof List on file in the office of the Portage County Auditor; and

**WHEREAS,**                     the Portage County Board of Commissioners desires to redeem on December 1, 2011, the \$ 103,873.00 of outstanding County of Portage, Ohio Sewer District Improvement Bonds, Series 1982, dated March 4, 1982, that are stated to mature on December 1 of the years 2012 through 2020 (collectively, the Bonds), in accordance with the provisions of a resolution adopted by the Board of County Commissioners on March 4, 1982, under which the Bonds were issued; now therefore be it

**RESOLVED,** that the Board of Commissioners authorizes the wire transfer to Berkadia Commercial Mortgage, LLC for the principal and interest payments in 2011 for the 1982 Sewer District Improvement Bonds as presented by the Portage County Auditor's Office as follows:

Loan number 01-049360-1	\$ 47,583.55
Loan number 01-049360-3	\$ 2,910.10

for a total Principal and Interest payment of \$ 50,493.65, and be it further

**RESOLVED,** that the Board of Commissioners authorizes the wire transfer to Berkadia Commercial Mortgage, LLC for the early redemption of the \$103,873.00 of outstanding County of Portage, Ohio Sewer District Improvement Bonds, Series 1982 as follows:

Bond Number	Maturity Date	Amount to be Redeemed
R-1	2012 through 2020	\$ 16,202.00
R-2	2018 through 2019	\$ 87,671.00

for a total Principal amount of \$ 103,873.00; and be it further

**RESOLVED,** wire transfer on Wednesday, November 30, 2011 \$ 154,366.65 and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b> ADOPTED [UNANIMOUS]
<b>MOVER:</b> Tommie Jo Marsilio, Vice President
<b>SECONDER:</b> Christopher Smeiles, Board Member
<b>AYES:</b> Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION No. 11-1013 - RE: A RESOLUTION TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO EXECUTE LOCAL PUBLIC AGENCY (LPA) AGREEMENT NO. 24709 WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE SIGN UPGRADE PROJECT COVERING VARIOUS LOCATIONS IN PORTAGE COUNTY.**

**WHEREAS,** the Portage County Engineer has secured 80% federal funding from the County

Engineer's Association of Ohio HSP Program for the Sign Upgrade Project in Portage County, and

**WHEREAS,** the Portage County Engineer has received LPA Agreement No. 24709 from the Director of the Ohio Department of Transportation for said project, and

**WHEREAS,** the LPA Agreement provides for reimbursement to the Portage County Engineer of the federal funds for the said project up to a maximum of \$28,000.00, now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to enter into LPA Agreement No. 24709 with the Director of the Ohio Department of Transportation to access federal funds to reimburse the Portage County Engineer for the Sign Upgrade Project in Portage County.

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Tommie Jo Marsilio, Vice President

**SECONDER:** Christopher Smeiles, Board Member

**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1030 - RE: DECLARE THE NECESSITY TO PURCHASE A VEHICLE FOR USE BY THE PORTAGE COUNTY WATER RESOURCES DEPARTMENT.**

It was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles that the following resolution be adopted:

**WHEREAS,** pursuant to ORC 307.41 the Portage County Board of Commissioners declares it necessary to purchase one (1) Vactor Manufacturing Combination Sewer Cleaner mounted on a tandem axle Kenworth chassis; and

**WHEREAS,** the purchase of the vehicle will be from State of Ohio Purchasing Association State term schedule #77670000506; and

**WHEREAS,** payment of the vehicles will be from the funds within the Water Resources Department; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners declares it necessary to purchase one (1)

Vactor Combination Sewer Cleaner for the Water Resources Department at a cost of Three hundred seventy-five thousand and 00/100 dollars (\$375,000.00); and be it further

**RESOLVED,** that a copy of this resolution be forwarded to the Portage County Auditor; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION No. 11-1031 - RE: ACCEPTANCE OF DONATION TO THE OFFICE OF THE PORTAGE COUNTY DOG WARDEN.**

**WHEREAS,** The office of the Portage County Dog Warden received a donation of \$1000.00 for the spay and neuter fund from:

Gretta Hoover  
10846 Vaughn Rd.  
Hiram, Ohio 44234

now, therefore, be it

**RESOLVED,** The Board of Portage County Commissioners does hereby accept the donation on behalf of the Office of the Portage County Dog Warden;

and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
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**MOVER:** Tommie Jo Marsilio, Vice President  
**SECONDER:** Christopher Smeiles, Board Member  
**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION No. 11-1032 - RE: ACCEPTANCE OF DONATION TO THE OFFICE OF THE PORTAGE COUNTY DOG WARDEN.**

**WHEREAS,** The office of the Portage County Dog Warden received a donation of \$500.00 for the spay and neuter fund from:

Rachael Jones  
1895 Basswood Dr.  
Kent, OH 44240

now, therefore, be it

**RESOLVED,** The Board of Portage County Commissioners does hereby accept the donation on behalf of the Office of the Portage County Dog Warden;

and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Tommie Jo Marsilio, Vice President  
**SECONDER:** Christopher Smeiles, Board Member  
**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1033 - RE: ESTABLISH COBRA RATES FOR PORTAGE COUNTY HEALTH BENEFIT PLAN EFFECTIVE JANUARY 1, 2012.**

**RESOLVED,** that the Board of Portage County Commissioners does hereby accept the revised COBRA rates to be effective January 1, 2012 for the Portage County Health Benefit Plan as calculated by Medical Mutual of Ohio as follows:

PPO FROM TO

Single Rate:	\$443.79	\$488.21
Two Person Rate:	N/A	\$976.43
Family Rate:	\$1,146.18	\$1,342.59

**HMO**

Single Rate:	\$443.79	\$534.59
Two Person Rate:	N/A	\$1,069.18
Family Rate:	\$1,146.18	\$1,470.13

**Dental**

Employee Only Rate:	\$26.10	\$23.27
Employee & Spouse Rate:	\$49.55	\$44.18
Employee & Child(ren) Rate:	\$63.26	\$56.40
Family Rate:	\$103.06	\$91.83

And be it further,

**RESOLVED,**

that the Board of Portage County Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Tommie Jo Marsilio, Vice President  
**SECONDER:** Christopher Smeiles, Board Member  
**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**INVITATIONS**

1. Invitation from the Aurora Chamber of Commerce to the Holiday Party on Wednesday, December 7, 2011, 5:30-8:00 PM, ThornCreek Winery & Garden.
2. Invitation from Tri County Building and Construction Trades Council to the Officers & Delegates Christmas Cocktail Party on Thursday, December 8, 2011, 6:30-10:30 PM, Hilton Akron/Fairlawn.

**INCOMING CORRESPONDENCE**

1. Discussion: Term Sheet for Robinson Memorial Hospital/Hold to hear from Attorney Mike Sharb who talked to Attorney Denise Smith this morning. Attorney Sharb anticipates completing the letter of engagement draft by close of business today.
2. Does the Board wish to schedule the Portage Development Board/Team NEO Presentation on Jobs Ohio

initiative Wednesday, December 14, 2011 at 3:00 PM/Commissioner Frederick has asked Regional Planning Commission Director Todd Peetz to consider moving the Executive Committee meeting to allow members to attend this presentation.

### **INFORMATION ONLY**

1. November 17, 2011 e-mail from Carole Beaty, Family & Community Services, regarding the VAWA grant.

### **PLEASE ADD TO THE AGENDA**

### **RESOLUTIONS**

1. DRAFT RESOLUTION: Declare the necessity to purchase a vehicle for use by the Portage County Water Resources/11-1030.
2. DRAFT RESOLUTION: Accept donation to the office of the Portage County Dog Warden - Gretta Hoover/11-1031.
3. DRAFT RESOLUTION: Acceptance of donation to the Office of the Portage County Dog Warden: Rachael Jones/11-1032.
4. DRAFT RESOLUTION: Establish COBRA rates for Portage County Health Benefit Plan effective January 1, 2012/11-1033.

### **INVITATION**

1. Invitation from the Aurora Chamber of Commerce for the Holiday Party on Wednesday, December 7, 2011, 5:30 PM-8:00 PM, ThornCreek Winery & Garden.

### **DISCUSSION**

1. November 18, 2011 e-mail from Director Jon Barber, EMA, regarding Station 30 sign/Information only at this time.
2. Discussion: Health Department Levy/Referred to the Prosecutor's Office to write the resolution.

### **JOURNAL ENTRY**

1. The Board of Commissioners acknowledged the receipt of the November 15, 2011 correspondence from the County Engineer's Office including the Inventory of Road Machinery, Tools and Equipment, as required by Ohio Revised Code § 5549.01, as presented by the Portage County Engineer. The County Engineer is recommending the purchase of two (2) Tandem Dump Trucks and two (2) pickup trucks in 2012.
2. October 24, 2011 request from Attorney Amanda Lewis of Paoloni & Lewis for Board signature on the three subordination agreements for Clark and Opal. Rumiser, and presented by the Neighborhood

Development Services, Inc.

## **REFERRED**

1. The Board of Commissioners received an undated notice from the Ohio Board of Building Standards regarding the December 16, 2011 public hearing to consider proposed changes to rules of the Administrative Code identified as Amendments Group LXXXV, of the Ohio Revised Code. Forwarded to Portage County Building Department for review and comment.

## **INFORMATION ONLY**

1. November 18, 2011 e-mail from Diana Fierle, Portage Development Board, including the revised November 2011 Report.
2. November 16, 2011 correspondence from Joseph Hadley Jr., NEFCO including a full packet from the General Policy Board meeting. Next meeting is Wednesday, December 21, 2011 at 8:30 AM at the Summa Health Center, Green.

## **PROSECUTOR**

1. November 18, 2011 e-mail from Leigh Prugh, regarding Brown et al vs. Charlton et al/Information only.

## **JOURNAL ENTRY**

1. The Board of Commissioners signed the payment authorization form for Regional Planning Commission employee Evelyn Beeman for mileage reimbursement for attending the 2011 Housing Conference on November 3, 2011 at Salt Fork for \$105.34, as presented by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #08 is funding this expense. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
2. The Board of Commissioners signed the Journal Entry to reimburse the Regional Planning Commission from the New Horizons Grant for the time period of October 3, 2011 through October 16, 2011 not previously billed for \$442.59, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
3. The Board of Commissioners signed the Journal Entry to reimburse the Regional Planning Commission from Grant No. B-F-10 Administration for the time period August 22, 2011 through September 4, 2011 not previously billed \$2,328.77, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
4. The Board of Commissioners acknowledged the receipt of the November 17, 2011 Certificate of the County Auditor that the Annual Appropriations from each fund does not exceed the Amended Official Certificate

of Estimate Resources for the fiscal year beginning January 1, 2011, as presented by the Portage County Budget Commission.

5. The Board of Commissioners authorized Commissioner Frederick to sign the State of Ohio Office of Community Development Request for Payment and Status of Funds Report Draw No. 465, as presented by the Regional Planning Commission as follows:

<b>Grant No.</b>	<b>Activity Name</b>	<b>Activity No.</b>	<b>Amount Requested</b>
B-Z-08-1CJ-1	Land Banking/Demolition	1	\$ (19,616)
B-Z-08-1CJ-1	Housing Development	2	19,616
B-Z-08-1CJ-1	Land Banking/Demolition	1	14,231
B-Z-08-1CJ-1	Housing Development	2	19,462
<b>Total</b>			<b>\$ 33,693</b>

Documents reviewed by the Department of Budget & Finance with no exceptions noted.

6. The Board of Commissioners authorized payment of the October 2011 Statement for professional services rendered from October 3, 2011 through October 29, 2011 for \$6,250.00, as presented by Attorney Ron Habowski.
7. The Board of Commissioners acknowledged the receipt of the November 15, 2011 correspondence from the Portage County Engineer including the Inventory of Road Machinery, Tools and Equipment, as required by Ohio Revised Code § 5549.01, as presented by the Portage County Engineer. The County Engineer is recommending the purchase of two (2) Tandem Dump Trucks and two (2) pickup trucks in 2012.
8. The Board of Commissioners acknowledged the receipt of the Ohio Environmental Protection Agency Education Fund Mini Grant No. F-12M-012 for \$1,000 for the Portage County Water Resources Department for the creation of educational pamphlets for area residents about drinking water and wastewater treatment. The Board noted that the correct grant procedure was not followed when applying for this funding so there is neither authorizing resolution nor acceptance resolution.

The Board of Commissioners authorized Portage County Water Resources Department Water & Monitoring Division Manager to sign and return the grant agreement as the Authorizing Agent. Department of Budget & Financial Management Accountant and Budget Analyst John Leskovyansky will be the county financial contact for this grant.

9. The Board of Commissioners authorized Commissioner Frederick to sign three subordination agreements for Clark and Opal. Rumiser, 772 Ravenna Road in Kent, as recommended by Neighborhood Development Services, Inc. Attorney Amanda Lewis of Paoloni & Lewis on behalf of the Neighborhood Development Services, Inc.
10. The Board of Commissioners signed the Personnel Requisitions for the Water Resources Department, as presented by Director Jeff Lonzrick as follows:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Water Resources Department	Laborer New Position	LABR/1	Post Internally & Externally
Water Resources Department	Equipment Operator I New Position	EO1	Post Internally & Externally

11. The Board of Commissioners signed the Application and Certificate for Final Payment to Penn-Ohio Electrical for the Cleveland to Aurora Water Line Phase 2, Contract B Project Express Watermain & Booster Station; SH-W (06-300), as presented by the Water Resources Department.
12. The Board of Commissioners accepted Water Resources Department Director Jeff Lonzrick's recommendation and authorized payment of annual bonuses to Water Resources On- Call Supervisors who respond to after hour emergencies for 2011, as follows:

Employee	Hours	Hourly Rate	Total
3666	7.0	\$23.03	\$ 161.21
2180	30.25	24.84	751.41
2422	53.75	24.46	1,314.73

13. The Board of Commissioners approved the request from Dawn Pechman for use of the Buckeye Room at the Portage County One-Stop, 1081 West Main Street in Ravenna, on Thursdays from 2:00 PM-4:00 PM during the month of December 2011. Ms. Pechman will use the room for networking purposes. The Commissioners agreed to waive the \$1.00 fee and the insurance requirements.
14. After meeting with The Woodlands at Robinson staff in an Executive Session, the Board of Commissioners agreed to accept the resignation of Environmental Supervisor Gerald Harris, effective December 5, 2011.

- 15.. After meeting with The Woodlands at Robinson staff in an Executive Session, the Board of Commissioners agreed to move STNA Kelly Chiboroski to an LPN position, effective November 27, 2011.
16. The Board of Commissioners signed and approved the following Personnel Requisition, as presented by The Woodlands at Robinson:

DEPARTMENT	JOB TITLE	GRADE	ACTION
The Woodlands at Robinson	STNA (replacement for Kelly Chiboroski)	NSAS/2	Post Internally

17. The Board of Commissioners signed the Personnel Action form authorizing an increase for Job & Family Services PCSA Supervisor Shayna Little from \$20.79 to \$21.62, effective October 25, 2011, after the successful completion of a probationary period, as presented by Job & Family Services Director Judee Genetin.
18. The Board of Commissioners accepted the recommendation of Department of Budget & Financial Management Director Tillis and authorized a transfer of \$2,890.00 from the contingency to the Sheriff for the inspection, servicing and maintenance of the walk through metal detectors and x-ray machines located at Portage County courthouses. The Board directed Director Tillis to ask the Sheriff to hold this request until 2012, if possible. If not, the Board agreed to move forward with the transfer.

<p><b>RESULT:</b> ADOPTED [UNANIMOUS]</p> <p><b>MOVER:</b> Tommie Jo Marsilio, Vice President</p> <p><b>SECONDER:</b> Christopher Smeiles, Board Member</p> <p><b>AYES:</b> Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles</p>
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**ADJOURN**

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **Tuesday, November 22, 2011**. There being no further business to come before the Board, it was moved by Commissioner Marsilio and seconded by Commissioner Smeiles to adjourn the official meeting at **6:50 PM**.

<p><b>RESULT:</b> ADOPTED [UNANIMOUS]</p> <p><b>MOVER:</b> Tommie Jo Marsilio, Vice President</p> <p><b>SECONDER:</b> Christopher Smeiles, Board Member</p> <p><b>AYES:</b> Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles</p>
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Maureen T. Frederick, President

Tommie Jo Marsilio, Vice-President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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